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नई दिल्ली, शनिवार, नवम्बर 8, 1980/कार्तिक 17, 1902

No. 45] NEW DELHI, SATURDAY, NOVEMBER 8, 1980/KARTIKA 17, 1902

इस भाग में भिन्न पाल संलग्न दी जाती हैं जिससे कि पृष्ठ अलग संक्षेप में रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be cited as a separate compilation.

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्यक्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं

Statutory Orders and Notifications issued by the Ministries of the Government of India
(other than the Ministry of Defence) by Central Authorities (other than the
Administrations of Union Territories)

भारत निर्वाचन आयोग

नई दिल्ली, 5 सितम्बर, 1980

का० आ० 2995.—लोक प्रतिनिधित्व अधिनियम 1951 (1951 का० 43) की धारा 106 के अनुसरण में निर्वाचन आयोग मन्. 1980 की निर्वाचन अर्जी संख्या 6 में दिए गए बम्बई उच्च न्यायालय के तारीख 14 अगस्त, 1980, का आदेश एतद्वारा प्रकाशित करता है।

[संख्या ३२/मद्रा०/६/८०]

प्रावेश से,

के० गणेशन, सचिव

ELECTION COMMISSION OF INDIA

New Delhi, the 5th September, 1980

S.O. 2995.—In pursuance of section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order pronounced on 14th August, 1980 by the High Court of Judicature at Bombay in Election Petition No. 6 of 1980.

HIGH COURT, ORIGINAL SIDE

Election Petition No. 6 of 1980

The Hon'ble Mr. Justice B. Lentin. Sd/-
To be referred to the Reporter or not?

To be shown to the Reporters of the local Newspapers or
not? Yes

Madhavrao Anantrao Wagh ... Petitioner.
V/s

Sandipan Bhagwan Thorat and another ... Respondents.

Dr. P. T. Borale with Mr. V. N. Ramnathan—for the
Petitioner.

Mr. S. B. Sukhatankar with Mr. M. R. Katikar—for
Respondent No. 1.

Mr. C. K. Shah with Miss F. Sikandar—for Respondent
No. 2.

Coram : Lentin J.
14th August, 1980.

JUDGMENT

1. By this petition, the petitioner seeks a declaration that his nomination to the 38-Pandharpur (SC) Parliamentary Constituency has been improperly rejected by the Returning Officer (namely the 2nd respondent), that the result of the

election has been materially affected by the improper rejection of the petitioner's nomination paper and that the 1st respondent's election is null and void.

2. Factually the petition is sketchy. However, the uncontested facts as called out from the evidence and the admitted documents on record are as under:—

3. The petitioner, who is an advocate by profession, was born to parents belonging to the Mahar caste. Originally, his name was Gabaji Ananda Mahar which, in August, 1956, he changed to his present name, namely, Madhavrao Anantrao Wagh, which was duly notified in the Government Gazette. On 6th December, 1956, which was Maha Parinirvan Day, the petitioner attended the funeral ceremony of the late Dr. B. R. Ambedkar at Dadar-Chowpatty, where in the original Pali language, he took, along with several other persons, Deeksha of Panchasheela which consists of 5 injunctions, namely, not to kill animals, not to take anyone's property, not to tell a falsehood, not to indulge in immoral conduct, and not to imbibe intoxicants. On 6th December, 1979, the petitioner obtained a Certificate from the learned Additional Chief Metropolitan Magistrate, Kurla, Bombay, certifying that the petitioner—

"Who now belongs to Budhist faith belonged before conversion to Budhism to Mahar community which is recognised as a Scheduled Caste under the Scheduled Castes and Scheduled Tribes Order (Amendment) Act, 1976 as adopted for Maharashtra vide Bombay Re-organisation Act, 1960."

The particulars of proof submitted by the petitioner were, (1) his application dated 6th December, 1979 (Ex. A) on solemn affirmation stating that he is a converted Boudha, (2) a J.P.'s Certificate (Ex. B), certifying that before the petitioner's conversion to Budhism, he belonged to the Mahar community recognised as a Scheduled Caste, (3) a Certificate dated 5th December, 1979 (Ex. D) from the Chairman, Khandesh Samaj Mandal, certifying that the petitioner is a Budhist and before his conversion belonged to the Mahar community included in the list of Scheduled Castes, and (4) an affidavit affirmed by the petitioner on 6th December, 1979 (Ex. 4), stating that after his conversion from Hinduism to Budhism in 1956, he is now having faith in Budhism, that he belonged to the Mahar caste and after his conversion has faith in Budhism. All these documents were taken on record by consent of parties.

4. On 10th December, 1979, the petitioner filed his nomination for 38-Pandharpur Constituency reserved for Scheduled Castes for election to the Lok Sabha, making a declaration that he is—

"a member of the Boudha (Hindu-Mahar) caste which is a Scheduled Castes of the State of Maharashtra in relation to Bombay (area) in that State."

Along with his nomination form, the petitioner also produced the Magistrate's Certificate dated 6th December, 1979. The date of scrutiny was fixed on 11th December, 1979 at 11.00 a.m. The petitioner however did not remain present. He arrived two hours late that day and discovered that his nomination had been rejected by the Returning Officer. The grounds of rejection are to be found in the Returning Officer's order dated 11th December, 1979, wherein it is stated that from the petitioner's declaration in his nomination paper and from the Magistrate's Certificate produced by him,

"it is clear that the candidate admittedly professes Budhist religion."

It was further stated in the order that the petitioner admittedly professing the Budhist religion and belonging to the Budhist faith, did not profess either the Hindu or Sikh religion and could not be regarded as a member of the Scheduled Caste by virtue of Para 3 of the Constitution (Scheduled Castes) Order, 1950. Attacking this order in the petition, it is the petitioner's grievance that his nomination was wrongfully, illegally and improperly rejected by the Returning Officer.

5. The elected candidate, namely, the 1st respondent, and the Returning Officer, namely, the 2nd respondent have filed their respective written statements, supporting the rejection of the petitioner's nomination. Certain technical objections have also been taken in these written statements.

6. The following Issues were raised:—

1. Whether the petition is bad for non-joinder of all the contesting candidates as stated in Para 4 of the written statement of the 1st respondent?
2. Whether the petition is in proper form and in accordance with the provisions of the Representation of the People Act and the Rules thereunder?
3. Whether the petitioner is estopped from raising the contentions raised in the petition as stated in para 3 of the written statement of the 2nd respondent?
4. Whether the rejection by the Returning Officer, of the petitioner's nomination is wrongful, illegal and improper as alleged in Para 4 of the petition?
5. Whether the result of the election has been materially affected, as alleged in para 4 of the petition?
6. What relief, if any, is the petitioner entitled to?"

7. The petitioner examined himself as a witness and led the evidence of one Dipchand Narayan Pagare. The 1st respondent examined himself as a witness and called a Clerk attached to the Office of the Registrar of the learned Metropolitan Magistrate, Kurla, for the formal production of the documents. Ex. 4 and Exs. A, B, C and D, which were taken on record by consent of parties. Nothing turns on the evidence of the 1st respondent who merely produced a copy of the petitioner's affidavit (Ex. 4) which was marked 'Y' for identification and deposed that he stood for election from 38-Pandharpur Constituency and that he is a member of the Scheduled Caste.

8. The petitioner deposed that on 6th December, 1956 at the funeral ceremony of Dr. B. R. Ambedkar he alongwith several others, took Deeksha of Panchasheela in the original Pali language. He named the various festivals observed by the Hindu Mahar caste, namely, Diwali, Daschra, Avalmay, Bhadvi, Mhasoba, Khandoba, Akshaya Tritiya, Ganesh Chaturthi and Mari-Aayi, and recounted the festivals of the Boudha Hindu Mahars, namely, Dr. Ambedkar Jayanti, Vaishakhi Pournima, Ashadhi Pournima, Naag Panchami, Dr. Ambedkar's Maha Parinirvan Din, and Dhamma Diksha Din, stating that he observes all the festivals observed by the Hindu Mahars and Boudha Hindu Mahars. His relations with the Hindu Mahars are the same as they were while he was a Hindu Mahar. The Mahar caste is divided into several sub-castes, namely, Mahanubhav Mahar, Lingayat Mahar, Arya Samajist Mahar, Brahmo Samajist Mahar, Nath Panthi Mahar, Warkari Penth Mahar. He deposed that after his conversion to Boudha Hindu Mahar, he was still accepted as a Hindu Mahar by all the sub-castes of the Mahar caste, from which he has not been excommunicated. He married a Hindu Mahar lady, announcing his intention of doing so to the Jati Panchayat and by going through the ceremony of 'Sakhar Puda', which comprises of application of Tilak to the forehead of the prospective bride by the elders of both families and by married women, followed by a feast of fish. The caste people were invited by application of 'kumkum' and rice to their foreheads. At the marriage ceremony, which was accompanied by chanting of 'Mangala Ashtaka' by the priest, he and his wife exchanged garlands and thereafter he gave her a 'Mangal Sutra'. The other rites performed by Mahars are, Dohale Jevan, Nama Karana, Kesha Vapana, and Shradha, which are observed both by Hindu Mahars and Boudha Mahars. Boudha Hindu Mahars do the same menial work as Hindu Mahars and, like the latter, reside outside the village precincts in what is called a 'Mahar Wada'. No difference is made by caste Hindus between a Hindu Mahar and a Boudha Mahar.

9. The petitioner's witness Dipchand Narayan Pagare, who is the petitioner's long-standing and close friend, was working as a Commercial Inspector in the Central Railway until his retirement last year. He has never done any social work. He belongs to the Mahar caste and follows the Hindu religion. He has known the petitioner since 1959-60 and is on cordial terms with him. They move about together, eat together, attend functions together and are on 'Roti-Beti' terms, meaning thereby that marriages can take place between members of his family and the petitioner's family. After stating that he was connected with the Mahar Panchayat of his native place Chandori, Taluka Niphad, District Nasik, he admitted that he had no particular connection as such with the Mahar Panchayat in his native village. He narrated the marriage customs among the Madras, admitting that he is not an expert in the marriage customs of

Mahars. He narrated that rites among the Mahar caste, namely, Dohale Jevan, Nama Karana (naming ceremony), Kesha Vapana (tonsorial ceremony) and Shradha (obsequial ceremony). He named several sub-castes among the Mahar Caste, including the Boudha Mahar sub-caste.

10. On this evidence of the petitioner and his witness, Dr. Borale, the learned Counsel appearing on behalf of the petitioner, urged that taking Deeksha is not conversion and that even assuming that the petitioner converted himself to the Buddhist faith, he continued to be a Hindu Mahar. Dr. Borale further urged that conversion from Hinduism to Buddhism is something entirely unknown because the latter is merely a part and parcel of the former, and all that the founder of Buddhism, namely, Lord Buddha, did was to point out to the caste Hindus the evils of their ways without propagating any new religion as such. Dr. Borale also urged that there is no evidence that the petitioner had renounced Hinduism and that being so, he continues to be a Hindu Mahar to this day. Dr. Borale urged that Buddhism is merely a sect of Hinduism, hence professing the Buddhist religion is the same as professing the Hindu religion.

11. In support of these contentions, Dr. Borale relied on the petitioner's evidence that he observes all the festivals of the Hindu Mahars and the Boudha Hindu Mahars, that the petitioner's relations with the Hindu Mahars are the same as those when he was a Hindu Mahar, that he is still being accepted as a Hindu Mahar by all the sub-castes of the Mahar caste, that he has not been excommunicated by the Mahar caste, that he married a Hindu Mahar lady, that the work done by the Boudha Hindu Mahars is the same menial work done by Hindu Mahars, that, like Hindu Mahars, Boudha Hindu Mahars also reside outside the village in a 'Mahar Wada' and that no difference is made by caste Hindus between a Hindu Mahar and a Boudha Mahar.

12. Dr. Borale also relied on certain quotations in Chapter XIV under the title "The Budha (The Awakened)" at pages 50 and 51 in "Sacred Books of the East" translated by Various Oriental Scholars and Edited by F. Max Muller, as under :—

"183. Not to commit any sin, to do good, and to purify one's mind, that is the teaching of (all) the Awakened.

"184. The Awakened call patients the highest penance, long-suffering the highest Nirvana; for he is not an anchorite (pravragita) who strikes others, he is not an ascetic (Sramana) who insults others.

"185. Not to blame, not to strike, to live restrained under the law, to be moderate in eating, to sleep and sit alone, and to dwell on the highest thoughts,—this is the teaching of Awakened.

"186. There is no satisfying lusts, even by a shower of gold pieces; he who knows that lusts have a short taste and cause pain, he is wise;"

Dr. Borale also relied on certain passages from the "History of Dharmasastra" by Mahanahopadhyaya Pandurang Vaman Kane, Vol. V, Part II (1962 Edition) at pages 993, 1004 and 1614 as under :—

"In medieval and modern times the avatars of Visnu have been regarded as ten, viz. Matsya, Kurma, Varsha, Nrsimha or Narasimha (Man-lion), Vamana, Parasurama, Rama (son of Dasarath), Krsna, Buddha and kalki.

".....Budha was only a great reformer of the Hindu religion as practised in his time. He did not feel or claim that he was forming a new religion, nor did he renounce the Hindu religion and all its practices and beliefs.

"....Even in these days in the rather long sankalpa (declaration) at the beginning of a religious act in Maharashtra, occur the words 'Jambudvipa Bharatavarse Buddhavatare Godavarya daksine tire' and c."

Dr. Borale also relied on a free translation of "Bouddha Parya" by A. G. Apte as under :—

"Bouddha religion which has got now a name of Hindu religion is fruit of old Arya Dharma, Vaikdik Dharma or Brahman Dharma, not only that it is pure ripe fruit of its and it is agreed by Western Scholars. Bouddha religion born from Brahman Dharma, grown-up in the Brahman Dharma and ended in the same i.e. in the Brahman Dharma Gautam Bouddha has got education of Brahman Dharma. The books which having the reflection of his (Bouddha) thoughts. Similar types of Books were available prior to them in Brahman Dharma and such type of books are also produced later on. The priest do not give proper attention on the essence of old books but they adopt only knowledge of words and mislead themselves and others but Buddha was feeling that whatever knowledge he was imparting is real knowledge of those old books. Buddha frequently told his disciples that whatever religious way of life (Dharma Marg) I have got is not new one. Bouddha philosophy is mostly per-

from philosophy of Sankhaya. Similarly there is similarity between Vaidik Philosophy and Bouddha philosophy. The idea or concept of "Boudha Nirwan" and Vaidik way of "Moksha" (salvation) are most similar concepts. If you consider all these things thoroughly a great scholar like Prof. Rhys Devidas who is deadly against Brahman Dharma (religion); he rightly says about Boudha is that 'The greatest, the wisest and the best of the Hindus' and it is not exaggeration at all."

Dr. Borale also relied on a free translation of "Buddha Parya" by Vasudeo Govind Apte as under :—

"In Hindu Puranas there are ten incarnations and the ninth is Boudha avatara. These are the dasavatara (original passage in Marathi).

"Matsya (fish), Kurma (Tortoise), and Varaha (Boar), Nrsimha (Man Lion), Vamana (Dwarf) after wards with Rama and Rama and Krishna Buddha, Kalki make the ten (original in Sanskrit).

"In Srimat Bhagwata Buddha is the twentieth Avatara (incarnation).

"In Agni Puran, Linga Puran, Varaha Puran there is a quotation about Buddha avatara (original in Marathi)."

13. Reliance was also placed by Dr. Borale on the observations of the Supreme Court in *Yajnapurushasji v. Muldas*, AIR. 1966 Supreme Court 1119, (which it may be stated was a case under the Bombay Hindu places of Public Worship (Entry Authorisation) Act, 1956. Paras 10, 11, 27, 29, 33, 37, 41 and 42 of the Report are as under :—

"10.....It was argued that Swaminarayan, the founder of the sect, considered himself as the Supreme God, and as such, the sect that believes in the divinity of Swaminarayan cannot be assimilated to the followers of Hindu religion. It was also urged that the temples in suit had been established for the worship of Swaminarayan himself and not for the worship of the traditional Hindu idols and that again showed that the Satsangi sect was distinct and separate from Hindu religion. It was further contended that the sect propagated the ideal that worship of any god other than Swaminarayan would be a betrayal of his faith, and lastly, that the Acharyas who had been appointed by Swaminarayan adopted a procedure of 'Initiation' (diksha) which showed that on initiation, the devotee became a Satsangi and assumed a distinct and separate character as a follower of the sect.

"11. The High Court has carefully examined these contentions in the light of the teachings of Swaminarayan, and has come to the conclusion that it was impossible to hold that the followers of the Swaminarayan sect did not profess Hindu religion and did not form a part of the Hindu community.

"27. The historical and etymological genesis of the word 'Hindu' has given rise to a controversy amongst indologists ; but the view generally accepted by scholars appears to be that the word 'Hindu' is derived from the river Sindhu otherwise known as Indus which flows from the Punjab....

"29. When we think of the Hindu religion, we find it difficult, if not impossible, to define Hindu religion or even adequately describe it. Unlike other religions, in the world, the Hindu religion does not claim any one prophet ; it does not worship any one God ; it does not subscribe to any one dogma ; it does not believe in any one philosophic concept ; it does not follow any one set of religious rites or performances ; in fact, it does not appear to satisfy the narrow traditional features of any religion or creed. It may broadly be described as a way of life and nothing more.

"33. The monistic idealism which can be said to be the general distinguishing feature of Hindu Philosophy has been expressed in four different forms : (1) Non-dualism or Advaitism ; (2) Pure monism, (3) Modified monism, and (4) Implicit monism. It is remarkable that these different forms of monistic idealism purport to derive support from the same Vedic and Upanishadic texts. Shankar, Ramanuja, Vallabha and Madhva all based their philosophic concepts on what they regarded to be the synthesis between the Upanishads the Brahmasutras and the Bhagavad Gita. Though philosophic concepts and principles evolved by different Hindu thinkers and philosophers varied in many ways and even appeared to conflict with each other in some particulars, they all had reverence for the past and accepted the Vedas as sole foundation of the Hindu philosophy. Naturally enough, it was realised by Hindu religion from the very beginning of its career that truth was many-sided and different views contained different aspects of truth which no one could fully express. This knowledge inevitably bred a spirit of tolerance and willingness to understand and appreciate the opponent's point of view. That is how the several views set forth in India in regard to the vital philosophic concepts are considered to be the branches of the self-same tree. The short cuts and blind alleys are somehow reconciled with the main road of advance to the truth (8). When we consider this broad sweep of the Hindu philosophic concepts, it would be realised that under Hindu Philosophy, there is no scope for ex-communicating any notice or principle as heretical and rejecting it as such.

"37. The development of Hindu religion and philosophy shows that from time to time saints and religious reformers attempted to remove from the Hindu thought and practices elements of corruption and superstition and that led to the formation of different sects. Buddha started Buddhism ; Mahavir founded Jainism ; Basava became the founder of Lingayat religion, Dhyaneshwar and Tukaram initiated the Varakari cult ; Guru Nanak inspired Sikhism ; Dayananda founded Arya Samaj, and Chitanaya began Bhakti cult ; and as a result of the teachings of Ramakrishna and Vivekananda, Hindu religion flowered into its most attractive progressive and dynamic form. If we study the teachings of these saints and religious reformers, we would notice an amount of divergence in their respective views ; but underneath that divergence there is a kind of subtle indescribable unity which keeps them within the sweep of the broad and progressive Hindu religion.

"41. The Constitution-makers were fully conscious of this broad and comprehensive character of Hindu religion ; and so, while guaranteeing the fundamental right to freedom of religion, Explanation II to Art. 25 has made it clear that in sub-clause (b) of clause (2), the reference to Hindus shall be construed as including a reference to persons professing the Sikh, Jaina or Buddhist religion, and the reference to Hindu religious institutions shall be construed accordingly.

"42. Consistently with this constitutional provision, the Hindu Marriage Act, 1955 ; the Hindu Succession Act, 1956 ; the Hindu Minority and Guardianship Act, 1956 ; and the Hindu Adoptions and Maintenance Act, 1956 have extended the application of these Acts to all persons who can be regarded as Hindus in this broad and comprehensive sense. Section 2 of the Hindu Marriage Act, for instance provides that this Act applies—

- to any person who is a Hindu by religion in any of its forms or developments, including a Virashaiva, a Lingayat or a follower of the Brahmo Prarthana or Arya Samaj.
- to any person who is a Buddhist, Jaina, or Sikh by religion,....."

14. Dr. Borale also relied on the case of *Chaturbhuj Vilthal das Jasani v. Moreshwar Parashrem and others*, A.I.R. 1954 Supreme Court 236, where, in dealing with the effect of conversion of a Mahar to Mahanubhava Panth under article 330 (1)(a) of the Constitution, the Supreme Court observed at Page 244 of the Report as under :—

"48. Conversion brings many complexities in its train, for it imports a complex composite composed of many ingredients, Religious beliefs, spiritual experience and emotion and intellectual conviction mingle with more material considerations such as severance of family and social ties and the casting off or retention of old customs and observances.

"The exact proportions of the mixture vary from person to person. At one extreme there is bigoted fanaticism bitterly hostile towards the old order and at the other an easy going laxness and tolerance which makes the conversion only nominal. There is no clear-cut dividing line and it is not a matter which can be viewed from only one single.

"49. Looked at from the secular point of view, there are three factors which have to be considered :

- (1) the reactions of the old body, (2) the intentions of the individual himself and (3) the rules of the new faith and sees no reason to outcaste of excommunicate the convert and the individual himself desires and intends to retain his old social and political ties, the conversion is only nominal for all practical purposes and when we have to consider the legal and political rights of the old body the views of the new faith hardly matter.

"51. Now what are the facts here ? Whatever the views of the founder of this sect may have been about caste, it is evident that there has been no rigid adherence to them among his followers in later years. They have either changed their views or have not been able to keep a tight enough control over converts who join them and yet choose to retain their old caste customs and ties.

"We need not determine whether the Mahanubhava tenets encourage a repudiation of caste only as a desirable ideal or make it a fundamental of the faith because it is evident that present-day Mahanubhavas admit to their fold persons who elect to retain their old caste customs. That makes it easy for the old caste to regard the converts as one of themselves despite the conversion which for all practical purposes is only ideological and involves no change of status."

"55. Dr. Borale also relied on the decision of the Mysore High Court in *B. Shyamsunder v. Shankar Deo*, A.I.R. 1960 Mysore 27, where it was held that Arya Samaj, unlike Christianity or Islam is not a new religion entirely distinct from Hinduism and that the mere profession of Arya Samajism by a person does not make him cease to be a Hindu and cannot have the effect of excluding him from Hinduism although he was born into it. It is equally clear that such person never becomes separate from the religious communion into which he was born. It was further held that there was sufficient evidence to come to the conclusion that by reason of the respondent having become a member of the Arya Samaj, he did not cease to belong to the Samgar caste in which he

was born and therefore paragraph 3 of the Constitution (Scheduled Castes) Order, 1950 was not applicable. Dr Borale relied on the following observations in para 31 of the Report as under :—

"31 It is, I think, extremely difficult to base our decision on the question that arises for determination in this case merely on the opinions given by these witnesses examined by the parties. As pointed out by the Supreme Court in Chaturbhuj Vithaldas Jasani v Moreshwar Parasaram AIR 1954 SC 236, we are not in deciding this case, really concerned with the theology of the Arya Samaj, as propounded by the witnesses referred to above.

"What we are really concerned with is the determination of the social and political consequences of a conversion, if it can be said that a conversion takes place when a person born in a particular caste becomes an Arya Samajist. As further pointed out by their Lordships of the Supreme Court, the question must be decided in a commonsense practical way rather than on theoretical and theocratic grounds."

16 The quotations and passages from the various books and the judicial decisions and observations relied upon by Dr Borale (profound and weighty though they are), must necessarily be read in the light of the context in which they have been made. Piecemeal reference to them, torn out of context, can hardly be justification for upholding any of the sweeping contentions urged by Dr. Borale and which must fail in the light of the admissions made by the petitioner himself in his evidence and the admitted documents on record. It may be recalled that in his affidavit dated 6th December, 1979, the petitioner himself had stated that after his conversion from Hinduism to Buddhism in 1956, he has faith in Buddhism. In his evidence he initially attempted to repudiate this statement made by him on oath in his affidavit dated 6th December 1979, on the ground that he was required to say so by the learned Magistrate. Throwing the blame on the learned Magistrate for a statement voluntarily made by the petitioner in his affidavit was uncalled for and unworthy. It was ultimately after a great deal of prevarication and after the question was repeated not less than 5 times, that he admitted that his statement in his affidavit dated 6th December 1979, that he was belonging to the Mahar caste and that after conversion he is having faith in Buddhism, is correct. He also admitted that his conversion to Buddhism was motivated not by his antagonism towards Hindu casteism but for his own spiritual satisfaction. These admissions reveal his conversion to the Buddhist faith which he professed since 1956. He also admitted that Dr Ambedkar did advocate—

"Hinduism believes in God. Buddhism has no God. Hinduism believes in soul. According to Buddhism, there is no soul. Hinduism believes in Chaturvarnya and the caste system. Buddhism has no place for the caste system and Chaturvarnya."

However, in view of his earlier stated admissions, what is not convincing is the explanation attended by him that even though Dr Ambedkar was his leader, the petitioner was not his total follower, that he took Deeksha just because he felt like it, and that at the time of filing his nomination paper he was partly professing the Hindu religion and partly professing the Buddhist religion. Also important is his admission in para 17 of his evidence that—

"I am aware that there is no such caste as Boudha (Hindu Mahar). Even though there is no such thing as Boudha Hindu Mahar caste, I have stated in my nomination paper that I belong to such a caste because I wanted to obtain certain benefits which were available to the Mahar caste."

The fact that the petitioner who is no semi-literate, but a practising advocate, should have stated in his nomination form that he belongs to the Boudha (Hindu Mahar) caste despite the fact that on his own admission no such caste exist and his further admission that he described himself as belonging to such a non-existent Mahar caste merely because he wanted to obtain certain benefits which were

available to the Mahar caste, castes a pall of doubt on the petitioner's protestations of partly, much less wholly, professing the Hindu religion, and reveals him as a person who did no hesitate even going to the length of deliberately making a false statement on solemn affirmation in his nomination form in order to avail himself of advantages which otherwise in law he could not have had. This by itself would have been a good ground for rejection of his nomination form.

17 The petitioner admitted that Dr Ambedkar on his conversion proclaimed :—

"By discarding my ancient religion which stood for inequality and oppression, today I am reborn. I have no faith in the philosophy of incarnation, and it is wrong and mischievous to say that Buddha was an incarnation of Vishnu. I am no more a devotee of any Hindu god or goddess. I will not perform Shraddha. I will strictly follow the eight-fold path of Buddha. Buddhism is a true religion and I will lead a life guided by the three principles of knowledge, right path and compassion."

The petitioner also admitted that following Dr. Ambedkar's pronouncement and message, he took Deeksha with others on 6th December 1956. While denying the suggestion that thereby he renounced Hinduism, the petitioner admitted that he did get himself converted to Buddhism, maintaining that at the same time he did not renounce Hinduism. The petitioner's assertion of remaining within the fold of Hinduism is not borne out either by the petitioner's affidavit dated 6th December 1979, (Ex 4) or by the admitted documents, viz. the petitioner's application dated 6th December, 1979 (Ex A), the J P's Certificate (Ex B), the Mandal's Certificate (Ex D), and the Magistrate's Certificate dated 6th December 1979, (Ex 1). It is well-known that in order to escape the underserved stigma of untouchability, on Maha Parinirvan Day, a number of the depressed classes embraced Buddhism, which has no caste system, and what Dr B R. Ambedkar had himself done in his lifetime. The petitioner was no exception.

18 There is no merit in Dr Borale's sustained grievance made for the first time in arguments across the Bar that because the petitioner desperately wanted the Magistrate's Certificate under any circumstances, he had no choice but to make an incorrect affidavit and to obtain other incorrect Certificates (Exs B and D), "in order to conform to the form of the phraseology of the Magistrate's Certificate". So also is there no merit in Dr Borale's off-repeated grievance that the respondents should have called the learned Magistrate as a witness to depose to the circumstances in which he issued his Certificate and why the Certificate is in cyclostyled form with only the petitioner's name and documents produced by him in type. All that is totally irrelevant for the purpose of the present petition. It is difficult to see how the petitioner can now be heard to challenge for the first time in arguments across the Bar, the very Certificate he himself obtained and filed with his nomination paper.

19 The attempt on the part of the petitioner's witness Pagare to make out that there is any caste such as Boudha Hindu Mahar, must also result in failure in view of the admission of the petitioner himself in cross-examination that no such caste exists. That Pagare has come to give evidence to oblige the petitioner, is brought to the fore-front by the fact that despite his admission that he is a long standing and cordial friend of the petitioner with whom he moves about, and is on "roti-beti" terms he made a belated and sorry attempt to retrieve the situation by stating that he gave his evidence at the instance of the petitioner's learned Counsel. This was a transparent attempt on Pagare's part to put himself at some distance from the petitioner, so that he could hold himself out as a disinterested witness.

20 The petitioner's own admission and the admitted documentary evidence on record indicate in no uncertain terms that the petitioner had embraced Buddhism and having done so ceased to be a member of the Scheduled Caste within the meaning of the Constitution (Scheduled Castes) Order, 1950 and was thus disentitled from being a candidate from the 38-Pandharpur Constituency which was a reserved consti-

tuency The expression "Scheduled Castes" has technical meaning given to it by Clause 24 of Article 366 of the Constitution and means—

"Such castes, races or tribes or parts of or groups within such castes or tribes as are deemed under Article 341 to be Scheduled Castes for the purpose of the Constitution."

In exercise of the power conferred upon him under Article 341, the President issued the Constitution (Scheduled Castes) Order, 1950. Paragraphs 2 and 3 of that Order read as under :—

"2. Subject to the provisions of this Order, the castes, races or tribes or parts of, or groups within castes or tribes specified in Parts I to XIII of the Schedule to this Order shall, in relation to the States to which those parts respectively relate be deemed to be scheduled castes so far as regards members thereof resident in the localities specified in relation to them in those Parts of that Schedule.

"3. Notwithstanding anything contained in Paragraph 2, no person who professes a religion different from the Hindu or the Sikh religion shall be deemed to be a member of a Scheduled caste."

21. In *Punjabrao v. D. P. Meshram*, A.I.R. 1965 Supreme Court 1179, the main controversy was that the 1st respondent having embraced Buddhism had ceased to be a member of the scheduled caste within the meaning of the Constitution (Scheduled Castes) Order, 1950 and was thus disentitled from being a candidate for a particular seat. The following observations of the Supreme Court in para 13 at page 1184 of the Report are pertinent :—

"What cl. (3) of the Constitution (Scheduled Castes) Order, 1950 contemplates is that for a person to be treated as one belonging to a Scheduled Caste within the meaning of that Order he must be one who professes either Hindu or Sikh religion...a declaration of one's belief must necessarily mean a declaration in such a way that it would be known to those whom it may interest. Therefore, if a public declaration is made by a person that he has ceased to belong to his old religion and has accepted another religion he will be taken as professing the other religion. In the face of such an open declaration it would be idle to enquire further as to whether the conversion to another religion was efficacious. The word "profess" in the Presidential order appears to have been used in the sense of an open declaration or practice by a person of the Hindu (or the Sikh) religion. Where, therefore, a person says, on the contrary that he has ceased to be a Hindu he cannot derive any benefit from that Order."

These observations of the Supreme Court apply on all fours to the facts of the present case. The petitioner has made a public declaration in his affidavit dated 6th December 1979 that he is a converted Boudha and in his application dated 6th December 1979 that he belonged to the Mahar caste and that after his conversion from Hinduism in 1956 he is now having faith in Buddhism. Thus the petitioner having made a public declaration that he ceased to belong to his old religion and has accepted another religion, he will be taken as professing the other religion, viz. Buddhism. Adverting to clause 2 of the Constitution (Scheduled Castes) Order, 1950, the Supreme Court made the following observations in para 14 at page 1184 of the Report :—

"If it was intended that the word "Hindu" used in this paragraph should have a wide meaning similar to that in Explanation II just quoted there would have been no need to make a mention of the Sikh religion. From the fact that a special mention is made of the Sikh religion it would follow that the word "Hindu" is used in the narrower sense of the orthodox Hindu religion which recognises castes and contains injunctions based on caste distinctions."

22. In *C. M. Arumugam v. S. Rajgopal* (1976) 1 Supreme Court Cases 863, the respondent, formerly a member of Adi Dravida caste, was converted to Christianity and reconverted to Hinduism before the 1967 elections which was contested by him and the appellant from a reserved constituency. The evidence showed that on re-conversion the respondent was

accepted into their fold by the members of the Adi Dravida caste and was therefore at the material time, a member of that caste professing the Hindu religion as required by paras 2 and 3 of the Constitution (Scheduled Castes) Order, 1950. Great reliance was placed by the petitioner on certain observations made by the Supreme Court in para 12 and 14 at pages 874 and 877 of the Report as under :—

"What is, therefore, material to consider is how the caste looks at the question of conversion. Does it outcaste or excommunicate the convert or does it still treat him as continuing within its fold despite his conversion? If the convert desires and intends to continue as a member of the caste and the caste also continues to treat him as a member, notwithstanding his conversion, he would continue to be a member of the caste and, as pointed out by this Court 'the views of the new faith hardly matter'. This was the principle on which it was decided by the Court in *Chatturbhuj Vithaldas Jasau's case (supra)* that Gangaram Thaware, whose nomination as a scheduled caste candidate was rejected by the Returning Officer, continued to be a Mahar which was specified as a scheduled caste, despite his conversion to the Mahanubhav faith."

"14. It cannot, therefore, be laid down as an absolute rule uniformly applicable in all cases that whenever a member of a caste is converted from Hinduism to Christianity, he loses his membership of the caste. It is true that ordinarily on conversion to Christianity, he would cease to be a member of the caste, but that is not an invariable rule. It would depend on the structure of the caste and its rules and regulations. There are castes, particularly in South India, where this consequence does not follow on conversion, since such castes comprise both Hindus and Christians. Whether Adi Dravida is a caste which falls within this category or not is a question which would have to be determined on the evidence in this case. There is on the record evidence of Kakkan (PW 13), J. C. Adimoolam (RW 1) and K. P. Arumugam (RW 8), the last two being witnesses examined on behalf of the appellant, which shows that amongst Adi Dravidas, there are both Hindus and Christians and there are inter-marriages between them. It would, therefore, *prima facie* seem that, on conversion to Christianity, the first respondent did not cease to belong to Adi Dravida Caste. But in the view we are taking as regards the last contention, we do not think it necessary to express any final opinion on this point."

It is however the observations in para 13 at page 874 of the Report that put the matter beyond the pale of controversy, namely,

"Paragraphs 2 and 3 of the Constitution (Scheduled Castes) Order, 1950 also support the view that even after conversion a person may continue to belong to a caste which has been specified in the Schedule to that order as a Scheduled caste. Paragraph 2 provides that the castes specified in the schedule to the order shall be deemed to be scheduled castes but Paragraph 3 declares that, notwithstanding anything contained in Paragraph 2, that is, notwithstanding that a person belongs to a caste specified as a scheduled caste, he shall not be deemed to be a member of the scheduled caste, if he professes a religion different from Hindu or Sikh religion. Paragraphs 2 and 3 read together thus clearly recognise that there may be castes specified as scheduled castes which comprise persons belonging to a religion different from Hindu or Sikh religion and if that be so, it must follow a fortiori, that in such castes, conversion of a person from Hinduism cannot have the effect of putting him out of the caste, though by reason of Paragraph 3 he would be deemed not to be a member of a scheduled caste."

(The underlining is mine.)

These observations bring to the forefront that the petitioner professing the Buddhist faith (in other words, a religion different from the Hindu or Sikh religion), would not be

deemed to be a member of a Scheduled Caste and hence could not contest from the reserved constituency he attempted to do.

23. It must also be remembered that in the schedule to the Constitution (Scheduled Castes) Order, 1950, Item 37 of Part X pertaining to Maharashtra, refers to Mahar, Mehra, Taral and Dhegu Megu. There is no reference in Item 37 to any caste such as Boudha (Hindu Mahar), which even on the admission of the petitioner does not even exist. Even assuming that there was any caste such as Boudha (Hindu Mahar) the same could have availed the petitioner nothing. In *Parasram v. Shivchand* (1969) 1 Supreme Court Journal 916, after observing that Article 341 of the Constitution empowers the President to specify by public notification the castes, races or tribes or parts or groups within such castes in any State or Union Territory as Scheduled Castes in relation to that State or Union Territory and that it was for the President to decide whether a particular sub-caste or group would come within the category of scheduled castes or groups notified by him, it was held by the Supreme Court that it was not open to anyone to seek a modification of the Order before the Court by producing evidence to show for example, that though caste A alone was mentioned in the Order, caste B was also a part of caste A and as such should be deemed to be included in caste A. It was noted by the Supreme Court that whenever one caste has another name, it is specifically mentioned in brackets after that name in the Order. Hence a candidate who files his nomination as a Scheduled Caste candidate cannot be heard to claim that though he does not belong to the particular specified Scheduled Caste (such as Chamar in the State of Punjab), he has the same status by reason of the fact that the caste to which he belongs (Mochi) is only a sub-caste of the notified Scheduled Caste. It was observed that whether a notified caste includes such sub-castes is a question the determination of which lies within the exclusive power of the President and it is not for the Court to examine it and come to a conclusion that even if a candidate (in the State of Punjab) was a Mochi he could still claim to belong to a Scheduled Caste of Chamar and to contest election on that basis. This decision of the Supreme Court establishes in no uncertain terms that even assuming the Boudha Hindu Mahar is a sub-caste of the Mahar caste, a person belonging to the former cannot seek nomination on the ground that though Boudha Hindu Mahar is not mentioned in the Schedule, the Mahar caste has been so mentioned. In other words, if it had been the intention in the Presidential Order to include any caste (or sub-caste) other than those specifically specified in Item 37 quoted earlier, it would have been so stated in the item itself. Not having been so specified, the petitioner cannot avail himself of a nomination from the reserved constituency on the ground that he belongs to the Boudha (Hindu Mahar) caste.

24. The other arguments of the petitioner's learned Counsel need not detain me longer than necessary. It was urged that the Returning Officer should have ascertained whether the Petitioner belonged to the Boudha Hindu Mahar caste. This grievance must appear churlish. On the petitioner's admission, he did not choose even to remain present at the time of scrutiny which he knew was to take place on 11th December 1979 at 11.00 a.m. but attended two hours late that day after the scrutiny was completed, with not a word of explanation forthcoming for his tardiness. This grievance is yet another stick to beat the Returning Officer with, without any basis or justification. One wonders whether the petitioner deliberately took the precaution of remaining absent at the time of scrutiny, lest he would have to admit then before the Returning Officer what the petitioner had to admit in cross-examination that there is no such caste as Boudha (Hindu Mahar) caste, resulting in the rejection of his nomination by the Returning Officer on that ground by itself. The order of the Returning Officer is a well-reasoned sneaking order to which no exception can legitimately be taken. Moreover, the question of the Returning Officer deciding whether the petitioner belonged to the Boudha Hindu Mahar caste did not even arise. That was the caste the petitioner himself designated unto himself in his nomination form, a caste which, on the petitioner's admission in cross-examination, does not even exist. Dr. Boral was highly critical of the fact that the Returning Officer did not give evidence and invited me to draw an adverse inference against the respondents. One need only ask : What was the necessity of the Returning Officer to give evidence ? The reply of the petitioner's learned Counsel was that thereby the bias of the Returning Officer against the petitioner would have

been revealed. This grievance of bias is merely a red herring appearing for the first time in arguments across the Bar and is utterly without foundation. After dismissing paras 2 and 3 of the Constitution (Scheduled Castes) Order, 1950 as "meaningless", the petitioner's learned Counsel plunged into an elaborate (albeit learned) discourse on the evils of the caste system, the relevance of which no amount of persuasion could induce him to reveal.

25. It was urged on behalf of the respondents that the petition is not in proper form and is not accordance with the provisions of the Representation of the People Act, 1951. Reliance was placed on section 83 which refers to the contents of an election petition. Section 83(1)(a) reads as under :—

"(1) An election petition—

(a) Shall contain a concise statement of the material facts on which the petitioner relies :

It was urged on behalf of the respondents that section 83(1)(a) is mandatory and inasmuch as the petition does not contain a concise statement of the material facts the same is liable to be dismissed. On the other hand Dr. Boral on behalf of the petitioner urged that a concise statement of material facts is to be found in paras 2, 3, 4 and 5 of the petition.

26. In para 2 of the petition, it is stated that the petitioner was born in the village of Morane, Tahsil Dhulia, Maharashtra, that the petitioner's parents belonged to the Mahar caste and the petitioner at the time of his birth belonged to the Mahar caste which is a caste recognised in the schedule under Article 341 of the Constitution. After reproducing the definition of 'Scheduled Caste' under Article 366(24) of the Constitution, it is submitted in para 2 that the petitioner at all times belonged to the Mahar caste which has been recognised in the schedule. The rest of para 2 refers to the description of the Mahar caste as the depressed caste of India by several Commission established by Government from 1924 onwards. Para 2 concludes with the anguish of despair of the depressed classes. In para 3 of the petition it is stated that the petitioner was nominated to the 38-Pandharpur (9C) reserved Parliamentary Constituency for election to the Lok Sabha on 10th December 1979 and that the Returning Officer by his Order dated 11th December 1979 rejected the petitioner's nomination on the ground that the petitioner was disqualified for being chosen to fill the seat under section 36(2)(a) of the Representation of the People Act, 1951. In Para 4 it is stated that the petitioner being aggrieved by the rejection of the petitioner's nomination paper, has filed the present petition for a declaration that the petitioner's nomination paper has been wrongfully, illegally and improperly rejected and that the petitioner was entitled to be nominated to contest the 38-Pandharpur (SC) Parliamentary Constituency and that the result of the election in so far as concerns the returned candidate, namely, respondent No. 1, has been materially affected by the improper rejection of the petitioner's nomination. In para 5, it is stated that petitioner has made the returned candidate as Respondent No. 1 and the Returning Officer as Respondent No. 2 to the petition.

27. It is difficult to see how it can be urged by the petitioner with any degree of success that paras 2 to 5 contain a concise statement of the material facts on which the petitioner relies. There is nothing in any of these paras to indicate the case made out by the petitioner in his evidence on the basis of which he seeks relief, *inter alia*, to-wit, that despite his conversion to Budhism, he continued to remain a Mahar or that there is any such caste of sub-caste as Boudha (Hindu Mahar) or that even after his conversion to Budhism, he followed to rites and festivals of the Mahar caste or that the Boudha (Hindu Mahar) caste and the Mahar caste have the same rites, customs and ceremonies. Paras 2, 3, 4 and 5 at best set out the barest narration, such as it is, of the barest events which led the petitioner to file the present petition and do not disclose any cause of action disclosed in evidence. In *D. Venkata Reddy v. R. Sultan* (1976) 2 Supreme Court cases 455 it was held by the Supreme Court that in an election petition, the petitioner must plead all material particulars and prove them by clear and cogent evidence. It can hardly be said that in paras 2 to 5 of the petition, the petitioner has pleaded all material particulars. In this connection, one may also recall the observations of the Supreme Court in

S. N. Balakrishna v. Fernandes A.I.R. 1969 Supreme Court 1201, at page 1212 of the Report as under :—

****This section is mandatory and requires first a concise statement of material facts and then requires the fullest possible particulars. What is the difference between material facts and particulars ? The word 'material' shows that the facts necessary to formulate a complete cause of action must be stated. Omission of a single material fact leads to an incomplete cause of action and the statement of claims becomes bad. The function of particulars is to present as full a picture of the cause of action with such further information in detail as to make the opposite party understand the case he will have to meet.

(The underlining is mine)

Dr. Borale however attempted to distinguish Fernandes's case on the ground that it pertained to corrupt practices whereas the present petition did not. This contention is clearly fallacious. The observations in Fernandes's case pertain to all election petitions and not only to those concerning corrupt practices.

28. It may be stated that even para 6 of the petition cannot be termed a concise statement of material facts as required by section 83(1)(a). Para 6 is long and involved one running into some 12 pages with as many as 17 sub-paras. They make, to put it mildly, chaotic reading, where history, submissions, case law and a minimum of disjoined facts are intermingled in startling confusion. By no stretch of imagination, can para 6 be said to be in compliance of the mandatory provisions of section 83(1)(a). Nor was it urged that it was so.

29. Thus the mandatory provisions of section 83(1)(a) not having been complied with by the petitioner, is yet another ground for refusing him relief, to which even on merits he is not entitled.

30. I answer the Issues as under :—

Issues Nos. 1 and 3 : Not pressed.
Issue No. 2 : In the negative
Issue No. 4 : In the negative
Issue No. 5 : In the negative

31. In the result, the petition must stand dismissed. The petitioner shall pay to the respondents to costs of this petition in separate sets. Liberty to the respondent to withdraw in equal shares the amount of Rs. 2,000 deposited by the petitioner in Court towards their respective costs of this petition.

32. The Prothonotary and Senior Master to intimate the substance of the decision in this petition to the Election Commission and the Speaker of the Lok Sabha as provided by section 103 of the Representation of the People Act, 1951 and shall send to the Election Commission an authenticated copy of the decision as provided by that section.

[No. 82/MT/6/80]

By Order,

K. GANESAN, Secy.
to the Election Commission of India

ग्रावेज़

नई दिल्ली, 23 सितम्बर, 1980

का० पा० 2996.—यह, निर्वाचन आयोग का समाधान हो गया है कि जनवरी, 1980 में दूए लोक सभा के लिए साधारण निर्वाचन के लिए 3-तरल तारत निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जगिर सिंह, गुरु राम दास फलौर सिंह, भागलान बाला गेट, प्रभुतसर, लोक प्रतिनिधित्व प्रतिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा प्रयोक्ता अपने निर्वाचन व्ययों का कोई भी लेजा वाचिल करने में असफल रहे हैं;

और यह, उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इस असफलता के लिए कोई कारण अपयक्ता स्पष्टीकरण नहीं किया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकित्य नहीं है;

प्रम: अब, उक्त प्रतिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री हरमीत सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदा की तारीख से सीन वर्ष की कालाब्धि के लिए निरहित घोषित करता है।

[सं० पंजाब-लौ० स०/२/ ८०(८)]

ORDERS

New Delhi, the 23rd September, 1980

S.O. 2996.—Whereas the Election Commission is satisfied that Shri Harmeet Singh, Guru Ram Dass Flour Mills, Bhagtan Wala Gate, Amritsar (Punjab) who was a contesting candidate for general election to the House of the People from 2-Amritsar Constituency held in January, 1980 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure :

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Harmeet Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-HP/2/80(8)]

का० पा० 2997.—यह, निर्वाचन आयोग का समाधान हो गया है कि जनवरी, 1980 में दूए लोक सभा के लिए साधारण निर्वाचन के लिए 3-तरल तारत निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जगिर सिंह, गुरु राम दास फलौर सिंह, भागलान बाला गेट, प्रभुतसर, लोक प्रतिनिधित्व प्रतिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा प्रयोक्ता अपने निर्वाचन व्ययों का कोई भी लेजा वाचिल करने में असफल रहे हैं;

और यह, उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी इस असफलता के लिए कोई कारण अपयक्ता स्पष्टीकरण नहीं किया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायीकित्य नहीं है ;

प्रम: अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री जगिर सिंह को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदा की तारीख से तीन वर्ष की कालाब्धि के लिए निरहित घोषित करता है।

[सं० पंजाब-लौ० स० /३/८०(९)]

S.O. 2997.—Whereas the Election Commission is satisfied that Shri Jagir Singh, Village & P.O. Brar, Tehsil Ajnala (Punjab), who was a contesting candidate for general election to the House of the people from 3 Taran Taran constituency held in January, 1980, has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure :

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jagir Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-HP/3/80(9)]

१६ दिसंबर, १९८०

का० आ० २९८—यह, निर्वाचन आयोग का समाधान हो गया है कि १९७१ में ८० पंजाब विधान सभा के विधायकान्न निर्वाचन के लिए १००-वर्ड (वर्ड नं० १०) निर्वाचन-क्षेत्र से चुनाव लड़ने कामे उम्मीदवार श्री यमरु राम गांधी वाली, पौ० आ० ४८८ थे, तकनीकी फार्मिनेक्ट, जिला किरणगढ़ (पंजाब), लाला प्रतिनिधित्व प्रधिनियम, १९५१ तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित करने में असफल रहे हैं;

प्रांग यह, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इन अप्रकल्पना के लिए कोई कारण अधिकार स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस नाकामी के लिए कोई पर्याप्त कारण या व्यायोचित्य नहीं है;

आ० प्र० उक्त प्रधिनियम की धारा १०-के अनुसरण में निर्वाचन आयोग एन्डव्हारा उक्त श्री यमरु राम को संवद के किसी भी सदन के या किसी राज्य की विधान सभा अधिकार विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचन घोषित करता है।

[म० पंजाब-वि० म०/९०/७७(१)]

New Delhi, the 6th October, 1980

S.O. 2998.—Whereas the Election Commission is satisfied that Shri Amru Ram, Village Hiran Wali, P.O. Khul Khera, Tehsil-Fazilka, District Ferozepur (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in 1977 from 90-Balluana (SC) Constituency, has failed to lodge an account of his election expenses within the time and in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Amru Ram to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/90/77(1)]

१६ दिसंबर, १९८०

का० आ० २९९.—यह, निर्वाचन आयोग का समाधान हो गया है कि जनवरी, १९८० में हुए लोक सभा के लिए गांधीराम निर्वाचन के लिए चारोंगठ संकालन क्षेत्र से चुनाव लड़ने कामे उम्मीदवार श्री सोहन लला मकान नं० ८७, मैट्टर २६, श्रीलला लेवार वालोंगी, चंडी-गढ़, लाला प्रतिनिधित्व प्रधिनियम, १९५१ तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रिति से अपने निर्वाचन व्यर्थों का लेखा दाखिल करने के असफल रहे हैं;

प्रांग यह, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इन अप्रकल्पना के लिए कोई कारण अधिकार स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस अप्रकल्पना के लिए कोई पर्याप्त कारण या व्यायोचित्य नहीं है,

अन्त अब, उक्त प्रधिनियम की धारा १०-के अनुसरण में निर्वाचन आयोग एन्डव्हारा उक्त श्री सोहन लला को संवद के किसी भी सदन के या किसी राज्य की विधान सभा अधिकार विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचित घोषित करता है।

[म० चंडीगढ़-ल००स०/८० (६)]

New Delhi, the 10th October, 1980

S.O. 2999.—Whereas the Election Commission is satisfied that Shri Sohan Lal House No. 87, Sector 26, Old Labour Colony, Chandigarh, a contesting candidate for general election to the House of the People held in January, 1980 from Chandigarh Parliamentary Constituency, has failed to lodge an account of his election expenses in the manner required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Sohan Lal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. CH-HP/80(6)]

१६ दिसंबर, १९८०

का० आ० ३०००.—यह, निर्वाचन आयोग का समाधान हो गया है कि मई, १९८० में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए ६१-नायाल निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जसवत्त सिह, गांव व पौ० आ० नियमपूर, जिला लुधियाना (पंजाब) लाला प्रतिनिधित्व प्रधिनियम, १९५१ तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्यर्थों का कोई भी लेखा दाखिल करने में असफल रहे हैं;

प्रांग यह, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी इस अप्रकल्पना के लिए कोई कारण अधिकार स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस अप्रकल्पना के लिए कोई पर्याप्त कारण या व्यायोचित्य नहीं है;

अन्त अब, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी समाधान क्षेत्र के लिए कोई कारण अधिकार स्पष्टीकरण नहीं दिया है और नियमपूर की विधान सभा अधिकार विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचित घोषित करता है।

[म० पंजाब-वि० स०/८१/८०(२)]

New Delhi, the 16th October, 1980

S.O. 3000.—Whereas the Election Commission is satisfied that Shri Jaswant Singh, Village and P.O. Nigampur, District-Ludhiana (Punjab), who was a contesting candidate for general election to the Punjab Legislative Assembly from 61-Payal Constituency, held in May, 1980 has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jaswant Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/61/80(2)]

१६ दिसंबर, १९८०

का० आ० ३००१.—यह, निर्वाचन आयोग का समाधान हो गया है कि मई, १९८० में हुए पंजाब विधान सभा के लिए साधारण निर्वाचन के लिए ७-गुरुवासपुर विधान सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले

उम्मीदवार श्री अर्जीत मिह गाव सथायाली पौ० श्रा० नैनों कोट, महमीन व जिता गुरदासगुर (पंजाब), लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा नदीधान बनाए गए नियमों द्वारा प्रतिविन अधिकार अधिकार द्वारा काई भी लेखा दाखिल करने में असफल रहे हैं;

ग्रोर यत्, उक्त उम्मीदवार ने, सम्यक सूचना दिए जाने पर भी, इस अमरकलना के लिए कोई कारण अवश्यकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस अमरकलना के लिए कोई पर्याप्त कारण या न्यायीचित्र नहीं है;

अतः अब, उक्त प्रधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवंद्वारा उक्त श्री अर्जीत मिह को संसद के किसी भी मदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आवेदन की तारीख से तीन दर्जे की कालावधि के लिए निरहित घोषित करता है।

आदेश से,
[सं० पंजाब-वि०म०/7/80(3)]
श्रो० ना० नागर, अवश्यक
भारत निर्वाचन आयोग

New Delhi, the 21st October, 1980

S.O. 3001.—Whereas the Election Commission is satisfied that Shri Ajit Singh, Village Sathiali, P.O. Naino Kot, Tehsil and District Gurdaspur (Punjab), a contesting candidate for general election to the Punjab Legislative Assembly held in May, 1980 from 7-Gurdaspur Assembly Constituency, has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ajit Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. PB-LA/7/80(3)]

By Order,

O. N. NAGAR, Under Secy.
Election Commission of India

आदेश

नई विल्ली, 25 मिन्हवर, 1980

का० श्रा० 3002—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए निमिनलालू विधान सभा के लिए साकारण निर्वाचन के लिए 56- बानुर निर्वाचन-सेक्टर से भूमात्र लड़ने थाएं उम्मीदवार श्री बानुर वी० जोधी पुत्र श्री बीमायूसम, 359, गोविन्दराजा पैलमल स्ट्रीट बील्लूपुरम जिला दक्षिण अक्रटि, (नमिलनालू) लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा नदीधान बनाए गए नियमों द्वारा प्रतिविन अधिकार द्वारा दाखिल करने में असफल रहे हैं;

ग्रोर, यत् उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अवश्यकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस अमरकलना के कोई पर्याप्त कारण या न्यायीचित्र नहीं है,

अतः अब, उक्त प्रधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवंद्वारा उक्त श्री बानुर वी० जोधी अनायारोजी, को संसद के किसी भी मदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से भीत वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त०ना०-वि०स०/56/80(10)]

ORDERS

New Delhi, the 25th September, 1980

S.O. 3002.—Whereas the Election Commission is satisfied that Shri Vanur V. Kanagaraj, Dr. Ambedkar Street, Vanur & Post, Tindivanam Taluk, South Arcot District (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 56-Vanur Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Vanur V. Kanagaraj to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/56/80(10)]

नई विल्ली, 1 अक्टूबर, 1980

का० श्रा० 3003—यतः निर्वाचन आयोग का समाधान हो गया है कि मई, 1980 में हुए तमिलनालू विधान सभा के लिए साकारण निर्वाचन के लिए 58- विल्लूपुरम निर्वाचन-क्षेत्र में चुनाव लड़ने वाले उम्मीदवार श्री बी० जोधी पुत्र श्री बीमायूसम, 359, गोविन्दराजा पैलमल स्ट्रीट बील्लूपुरम जिला दक्षिण अक्रटि, (नमिलनालू) लोक प्रतिनिधित्व प्रधिनियम, 1951 तथा नदीधान बनाए गए नियमों द्वारा प्रतिविन अधिकार द्वारा दाखिल करने में असफल रहे हैं;

ग्रोर, यत् उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अवश्यकरण नहीं दिया है, और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस अमरकलता के लिए इस आदेश की तारीख से भीत वर्ष की कालावधि के लिए निरहित घोषित करता है।

प्रका० अब, उक्त प्रधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवंद्वारा उक्त श्री बी० जोधी, को संसद के किसी भी मदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से भीत वर्ष की कालावधि के लिए निरहित घोषित करता है।

[सं० त०ना०-वि०स०/58/80(13)]

New Delhi, the 1st October, 1980

S.O. 3003.—Whereas the Election Commission is satisfied that Shri V. Jothi S/o Shri Velayutham, 359, Govindarajai Perumal Street, Villupuram, District South Arcot (Tamil Nadu), a contesting candidate for general Election to the Tamil Nadu Legislative Assembly held in May, 1980 from 58-Villupuram Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri V. Jothi to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/58/80(13)]

नई विल्ली, 3 अक्टूबर, 1980

का० श्रा० 3004—यतः निर्वाचन आयोग का समाधान हो गया है कि करवारी, 1980 में हुए लोक सभा के लिए उप्रतिविन निर्वाचन के लिए 2 गुरुवारा संसदीय निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री

हलासबलु जयप्पा गगप्पा नितुर, हवाली में वरेनुर हरिहर तनुक, जिन चित्रदूर्ली, कनटिक लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचित व्ययों का लेखा दाखिल करने में अमरकल रहे हैं;

और, यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस अमरकलता के लिए कोई कारण अवधा स्पष्टीकरण नहीं दिया है, और निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस अमरकलता के लिए कोई पर्याप्त कारण या न्यायीकार्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री हलासबलु जयप्पा गगप्पा को संसद के किमी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और हांसे के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निररहित घोषित करता है।

[सं. कर्ना०-लो०स०/2/80/उप(8)]

New Delhi, the 3rd October, 1980

S.O. 3004.—Whereas the Election Commission is satisfied that Shri Halasabalu Jayappa Gangappa, Nittur, Hubli Malebennur, Harihar taluk, District Chitradurga, Karnataka, a contesting candidate for bye-election to the House of the People Karnataka held in February 1980, from 2. Gulbarga constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Halasabalu Jayappa Gangappa to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KT-HP/2/80(Bye)(8)]

का० आ० 3005.—यह, निर्वाचित आयोग का समाधान हो गया है कि फरवरी, 1980 में हुए लोक सभा के लिए उप निर्वाचित के लिए 2-गुरुवारा संसदीय निर्वाचित क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जी० आ० नायडू, सरकारी सामान्य अस्पताल मकान, गुलबर्गा, कनटिक, लंक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचित व्ययों का लेखा दाखिल करने में अमरकल रहे हैं;

और यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस अमरकलता के लिए कोई कारण अवधा स्पष्टीकरण नहीं दिया है, और निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस अमरकलता के लिए कोई पर्याप्त कारण या न्यायीकार्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री आ० नायडू को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवधा स्पष्टीकरण के सदस्य चुने जाने और हांसे के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निररहित घोषित करता है।

[सं. कर्ना०-लो०स०/2/80/उप(9)]

S.O. 3005.—Whereas the Election Commission is satisfied that Dr. G. V. Naidu, Government General Hospital Quarters, Gulbarga, Karnataka, a contesting candidate for bye election to the House of the People from Karnataka held in February, 1980 from 2. Gulbarga constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas, after considering the representation made by the said candidate, the Election Commission is further

satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Dr. G. V. Naidu to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. KT-HP/2/80(Bye)(9)]

नई विल्सो, 6 अक्टूबर, 1980

का० आ० 3006.—यह, निर्वाचित आयोग का समाधान हो गया है कि मई 1980 में हुए तमिलनाडु विधान सभा के लिए साधारण निर्वाचित के लिए 29-तिरुवल्लुर निर्वाचित-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री वरदराजन, मेन्जायातपल्लयम जाम तालक तिरुवल्लुर (तमिलनाडु) लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित रीति से अपने निर्वाचित व्ययों का लेखा दाखिल करने में अमरकल रहे हैं;

और, यह, उक्त उम्मीदवार ने, उसे सम्पर्क सूचना दिये जाने पर भी अपनी इस अमरकलता के लिए कोई कारण अवधा स्पष्टीकरण नहीं दिया है, और निर्वाचित आयोग का यह भी समाधान हो गया है कि उसके पास इस अमरकलता के लिए कोई पर्याप्त कारण या न्यायीकार्य नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचित आयोग एतद्वारा उक्त श्री वरदराजन को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवधा स्पष्टीकरण के सदस्य चुने जाने और हांसे के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निररहित घोषित करता है।

[सं. तमि०-वि०स०/29/80(17)]

अदेश से,
श्री० क० राव, अवर सचिव

New Delhi, the 6th October, 1980

S.O. 3006.—Whereas the Election Commission is satisfied that Shri T. Varadarajan, Sendrayanpalayam Village, Tiruvallur Taluk (Tamil Nadu), a contesting candidate for general election to the Tamil Nadu Legislative Assembly held in May, 1980 from 29-Tiruvallur constituency, has failed to lodge an account of his election expenses in the manner as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri T. Varadarajan, to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. TN-LA/29/80(17)]

By Order,
V. K. RAO, Under Secy.

आदेश

नई विल्सो, 29 अक्टूबर, 1980

का० आ० 3007.—यह, निर्वाचित आयोग का समाधान हो गया है कि जनवरी, 1980 में हुए लोक सभा के लिए साधारण निर्वाचित के लिए 43-आरामती निर्वाचित-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री जाधव मगन निवासी, मु० प०० कोटी, न० करमाला, जिला सोलापुर लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए

गए नियमों द्वारा प्रत्येक उपर्युक्त निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

श्रीर. यम., उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी अपनी इस असफलता के लिए कोई कारण अवधारणा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एवंद्वारा उक्त श्री जाधव सभा के संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवधारणा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाशधि के लिए निरहित घोषित करता है।

[स० महा० ल०० स० 43/80 (30)]

ORDERS

New Delhi, the 29th September, 1980

S.O. 3007.—Whereas the Election Commission is satisfied that Shri Jadhav Magan Nirvuti, At and P.O. Korti, Taluka Karmala, District Solapur (Maharashtra), a contesting candidate for general election to the House of the People held in January, 1980 from 43-Baramati Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate even after the notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Jadhav Magan Nirvuti to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-HP/43/80(30)]

नहीं दिल्ली, 3 अक्टूबर, 1980

का० शा० 3008.—यतः निर्वाचन आयोग का समाधान हो गया है कि जनवरी, 1980 में हुए लोक सभा के लिए माधारण निर्वाचन ने लिए 38-पंडरपुर (शा० जा०) निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री खड़तरे पारापा रामचंद्र, मू० प०० भारीन लोक प्रतिनिधित्व अधिनियम, 1951 संवा तद्दीन बनाए गए नियमों द्वारा अपेक्षित उपर्युक्त निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं।

श्रीर. यम., उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी अपनी इस असफलता के लिए कोई कारण अवधारणा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित विषय नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण न निर्वाचन आयोग एवंद्वारा उक्त श्री खड़तरे पारापा रामचंद्र को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवधारणा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाशधि के लिए निरहित घोषित करता है।

[स० महा० ल०० स० 38/80 (31)]

New Delhi, the 3rd October, 1980

S.O. 3009.—Whereas the Election Commission is satisfied that Shri Khadatare Parappa Ramchandra, At & P.O. Sangoli, Taluka Sangoli, Maharashtra, a contesting candidate

for general election to the House of the People held in January, 1980 from 38-Pandharpur (SC) Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Khadatare Parappa Ramchandra to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-HP/38/80(31)]

का० शा० 3009.—यतः निर्वाचन आयोग का समाधान हो गया है कि जनवरी, 1980 में हुए लोक सभा के लिए माधारण निर्वाचन के लिए 22-रामटेक निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री रामत फुलोलम भाऊगांव, मू० पटकालेडी, प०० मालेगांव, ता० सापनेर, जि० नागपुर लो० प्रतिनिधित्व अधिनियम, 1951 नथा नद्दीन बनाए गए नियमों द्वारा यांत्रोंजित निर्वाचन व्ययों का कोई भी लेखा दाखिल करने से असफल रहे हैं।

श्रीर. यम., उक्त उम्मीदवार ने, उसे सम्यक सूचना दिए जाने पर भी अपनी इस असफलता के लिए कोई कारण अवधारणा स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित विषय नहीं है।

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एवंद्वारा उक्त श्री रामत फुलोलम भाऊगांव को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अवधारणा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालाशधि के लिए निरहित घोषित करता है।

[स० महा० ल०० स० 22/80 (32)]

S.O. 3009.—Whereas the Election Commission is satisfied that Shri Raut Purushottam Bhaurao, R/o Patkakhedi, Post Malegaon, Taluka Saoner, District Nagpur (Maharashtra), a contesting candidate for general election to the House of the People held in January, 1980 from 22-Ramtek Constituency, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Raut Purushottam Bhaurao to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MT-HP/22/80(32)]

नहीं दिल्ली, 9 अक्टूबर, 1980

का० शा० 3010.—यतः निर्वाचन आयोग का समाधान हो गया है कि जनवरी, 1980 में हुए लोक सभा के लिए साधारण निर्वाचन के लिए 5-सागर (शा० जा०) लोक सभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री गणेश भाई प्रहितवार, हीरापुर प०० विवेकाम, तहसील बिला मारा, (मध्य प्रदेश) लोक प्रति-

निर्वाचित अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अधिनियम का कोई भी लेखा दाखिल करने में असफल रहे हैं,

और यह, उक्त उम्मीदवार ने, सम्प्रक सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण न्यायीकालीन नहीं है,

अब अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवं द्वारा उक्त श्री गणेश भाई प्राहिरवार को सम्प्रक के किसी भी गदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचित घोषित करता है।

[स० म० प्र०-ल०० स०/५/८० (९)]

आदेश में,
स० म० एन० रोज, अवर सचिव

New Delhi, the 9th October, 1980

S.O. 3010.—Whereas the Election Commission is satisfied that Shri Ganeshbhai Ahirwar, Heerapur, Post Birdwas, Tahsil and District Sagar (Madhya Pradesh) a contesting candidate for general election to the House of the People held in January, 1980 from 5-Sagar (SC) constituency, has failed to lodge any account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Ganeshbhai Ahirwar to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. MP-HP/5/80(19)]

By Order,

C. L. ROSE, Under Secy

आदेश

नं० फ्लॉ 7 अक्टूबर, 1980

का० आ० 3011.—यह, निर्वाचन आयोग का समाधान हो गया है कि अक्टूबर, 1979 में हुए लोक सभा नियमित विधान सभा के लिए साधारण निर्वाचन के लिए 31-गणटोक विधान सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री दिमल कुमार रसेली, दुर्ग स्टोर के अपर, गणटोक पूर्वी नियमित लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अधिकारित अपने निर्वाचन आयोग का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और यह, उक्त उम्मीदवार ने, सम्प्रक सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण या न्यायीकालीन नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवं द्वारा उक्त श्री दिमल कुमार रसेली को सम्प्रक के किसी भी सदन के या किसी गृह की विधान सभा प्रथवा विधान परिषद् के मदरप्र कुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचित घोषित करना है।

[स० 76/नियमित-वि० म०/३१/७९(१)]

ORDERS

New Delhi, the 7th October, 1980

S.O. 3011.—Whereas the Election Commission is satisfied that Shri Bimal Kumar Rasaily, Above Durga Store, Gangtok, East Sikkim a contesting candidate for general election to the Sikkim Legislative Assembly held in October, 1979 from 31-Gangtok constituency, has failed to lodge an account of his election expenses at all required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Bimal Kumar Rasaily to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/SKM-I १/३१/७९(१)]

का० आ० 3012.—यह, निर्वाचन आयोग का समाधान हो गया है कि अक्टूबर, 1979 में हुए सिक्किम विधान सभा के लिए नावारण निर्वाचन के लिए 31-गणटोक विधान सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री गणेश भाई, एम० जी० मार्ग, गणटोक पूर्वी नियमित लाल प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा अधिकारित अपने निर्वाचन आयोग का कोई भी लेखा दाखिल करने में असफल रहे हैं।

और यह, उक्त उम्मीदवार ने, सम्प्रक सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण अवश्य स्पष्टीकरण नहीं दिया है और निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए गणटोक कारण का निर्वाचन नहीं है,

अतः अब, उक्त अधिनियम की धारा 10-के अनुसरण में निर्वाचन आयोग एवं द्वारा उक्त श्री आनन्द सिंगल का सम्प्रक के किसी भी सदन के या किसी राज्य की विधान सभा अवश्य विधान परिषद् न सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष को कालावधि के लिए निर्वाचित घोषित करता है।

[स० 76/नियमित-वि० म०/३१/७९(२)]

का० आ० 3012.—Whereas the Election Commission is satisfied that Shri Anand Singh, M. G. Marg, Gangtok, East Sikkim a contesting candidate for general election to the Sikkim Legislative Assembly held in October, 1979 from 31-Gangtok constituency, has failed to lodge an account of his election expenses at all required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Anand Singh to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/SKM-LA/३१/७९(२)]

का० आ० 3013.—यह, निर्वाचन आयोग का समाधान हो गया है कि अक्टूबर, 1977 में हुए लोक सभा नियमित विधान सभा के लिए साधारण निर्वाचन के लिए 31-गणटोक विधान सभा निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री गोरी शक्ति वसल, एम० जी० मार्ग, गणटोक, पूर्वी नियमित लाल प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीन बनाए गए नियमों द्वारा आदेश द्वारा अधिकारित अपने निर्वाचन आयोग का कोई भी लेखा दाखिल करने में असफल रहे हैं।

ग्रोर यत्, उक्त उम्मीदवार ने, सम्पर्क सूचना दिये जाने पर भी, इस अमफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचित आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है।

प्रत. अब, उक्त अधिनियम की धारा 10-क के अनुमरण में निर्वाचित आयोग एन्डडारा उक्त श्री गौरी शंकर वसल को समद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[मा० 76/मिक्रिम-वि० स०/31/79(3)]

S.O. 3013.—Whereas the Election Commission is satisfied that Shri Gauri Shanker Bansal, M. G. Marg, Gangtok, East Sikkim a contesting candidate for general election to the Sikkim Legislative Assembly held in October, 1979 from 31-Gangtok constituency, has failed to lodge an account of his election expenses at all required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after the notice, has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares that the said Shri Gauri Shanker Bansal to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/SKM-1 A/31/79(3)]

का० आ० 3014—यत्, निर्वाचित आयोग का समाधान हो गया है कि अक्टूबर, 1979 में हुए सिक्किम विधान सभा के लिए 31-गंगटोक विधान सभा निर्वाचित धोत्र से चुनाव लड़ने वाले उम्मीदवार श्री मालचन्द अग्रवाल, लाल मार्केट रोड, गंगटोक, पूर्वी सिक्किम लोक प्रतिनिधित्व अधिनियम, 1951 सदा तद्वीत बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा दाखिल करने में अमफल रहे हैं।

ग्रोर यत्, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचित आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

प्रत. अब उक्त अधिनियम की धारा 10-क के अनुमरण में निर्वाचित आयोग एन्डडारा उक्त श्री मालचन्द अग्रवाल को समद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश का तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० 76/मिक्रिम-वि० स०/31/79(4)]

S.O. 3014.—Whereas the Election Commission is satisfied that Shri Malchand Aggarwal, Lall Market, Gangtok, East Sikkim a contesting candidate for general election to the Sikkim Legislative Assembly from 31-Gangtok assembly constituency, held in October, 1979, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notices has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Malchand Aggarwal, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/SKM-LA/31/79(4)]

का० आ० 3015—यत्, निर्वाचित आयोग का समाधान हो गया है कि अक्टूबर, 1979 में हुए सिक्किम विधान सभा के लिए 31-गंगटोक विधान सभा निर्वाचित धोत्र से चुनाव लड़ने वाले उम्मीदवार श्री के० श्री प्रधान, लाल मार्केट रोड, गंगटोक, पूर्वी सिक्किम लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीत बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा दाखिल करने में अमफल रहे हैं।

ग्रोर यत्, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचित आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है,

प्रत. अब, उक्त अधिनियम की धारा 10-क के अनुमरण में निर्वाचित आयोग एन्डडारा उक्त श्री के० वी० प्रधान को समद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[मा० 76/मिक्रिम-वि० स०/31/79(5)]

S.O. 3015.—Whereas the Election Commission is satisfied that Shri K. B. Pradhan, Lall Market Road, Gangtok, East Sikkim, a contesting candidate for general election to the Sikkim Legislative Assembly from 31-Gangtok assembly constituency, held in October, 1979, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice, has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri K. B. Pradhan, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. 76/SKM-LA/31/79(5)]

नई शिल्पी, 14 अक्टूबर, 1980

का० आ० 3016—यत्, निर्वाचित आयोग का समाधान हो गया है कि अक्टूबर, 1979 में हुए लोक सभा के लिए साधारण निर्वाचित धोत्र से 23-कलकत्ता दक्षिण निर्वाचित धोत्र से चुनाव लड़ने वाले उम्मीदवार श्री शक्या सेन, 14/1 बी०, पाम एवंस्यू, कलकत्ता-700019 परिक्रम बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्वीत बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचित व्ययों का कोई भी लेखा दाखिल करने में अमफल रहे हैं,

ग्रोर यत्, उक्त उम्मीदवार ने, सम्पर्क सूचना दिए जाने पर भी, इस अमफलता के लिए कोई कारण प्रथवा स्पष्टीकरण नहीं दिया है और निर्वाचित आयोग का यह समाधान हो गया है कि उसके पास इस अमफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है;

प्रत. अब, उक्त अधिनियम की धारा 10-क के अनुमरण में निर्वाचित आयोग एन्डडारा उक्त श्री शक्या सेन को समद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश का तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

[स० परिक्रम बंगाल-ना० स०/23/80]

New Delhi, the 14th October, 1980

S.O. 3016.—Whereas the Election Commission is satisfied that Shri Shakya Sen, 14/1B, Palm Avenue, Calcutta-700019, West Bengal a contesting candidate for general election to the House of the people from 23-Calcutta South Parliamentary constituency, held in January 1980, has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the said candidate, even after due notice has not given any reason or explanation for the failure and the Election Commission is further satisfied that he has no good reason or justification for such failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Shakya Sen, to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB-HP/23/80]

नई दिल्ली, 21 अक्टूबर, 1980

का० आ० 3017 :—तोक प्रतिनिधित्व अधिनियम, 1951 की धारा 111 (1951 का 43) के अनुसरण में निवाचित आयोग, 1980 की निवाचित अर्डी सं० 2 में दिया गया उच्च न्यायालय, कलकत्ता, का नतीम्ब 24 जुलाई, 1980 का अतिरेक प्रकाशित करता है।

[संख्या 82/प्रधिकम वंगाल/2/80]

NOTIFICATION

New Delhi, the 21st October, 1980

S.O. 3017.—In pursuance of section 111 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the order of the High Court at Calcutta dated the 24th July, 1980 in Election Petition No 2 of 1980.

HIGH COURT AT CALCUTTA

ELECTION PETITION JURISDICTION (ORIGINAL SIDE)

Election Petition Case No. 2 of 1980

Prof. Karunanidhan Roy.

Versus

Satyasadhan Chakravorty & Ors.

24-7-1980.

Mr. Karunanidhan Roy, the petitioner appears in person. Mr. S. Sanguly appears for Respondent No. 1. Mr. S. K. Acharya, Advocate General with Mr. J. N. Halder, appear for Respondent Nos. 11, 13 and 14 and submits.

Mr. Sudhir Roy with Mr. Saibal Ganguly appears for the Respondent No. 12.

The Court.—Mr. Roy, the petitioner appearing in person in this matter, has submitted before me that after a careful consideration of this matter he has come to the conclusion that the matter he is seeking to agitate in this Election Petition is a matter of great public importance and that he has come to this Court in order to agitate the cause of the public and not for his own personal benefit. He also very frankly states before me he faces certain difficulties in getting the remedy which he really seeks through this petition. Therefore he asks the Court to give him leave to withdraw the Election Petition and agitate this matter in some other appropriate proceedings in a proper forum.

I place on record that I have very much appreciated the conduct of Mr. Roy and the way he has proceeded in this matter before me. He has always been very fair and I must point out that he has a very intelligent view of this matter. He has conducted this case before me like an experienced member of the Bar.

I am of the opinion that this prayer for withdrawal has not been induced by any bargain or any consideration.

Leave is given to Mr. Roy to withdraw this petition.

The respondents do not press for costs and there will be no order as to costs. The security for costs furnished by Mr. Roy be returned back to Mr. Roy. Let the Registrar and the Department act on a signed copy of the minutes of this order and let this amount be refunded to Mr. Roy immediately on a signed copy of the minutes of this order.

All the parties are present before me.

Giving of notice and publication of the same is being dispensed with.

Let the operative portion of this order be published in the official gazette.

Sd/- B. C. BASAK
[No. 82/WB/2/80]
By order,

S. C. JAIN, Under Secy.
Election Commission of India

गृह मंत्रालय

कार्मिक और प्रशासनिक सुधार विभाग

नई दिल्ली, 21 अक्टूबर, 1980

का० आ० 3018 :—दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय मरकार एवं दूसराश्य निम्नलिखित अपराधों को उन आयाधों के स्पष्ट में विनिर्दिष्ट करती है जिनका अन्वेषण दिल्ली विशेष पुलिस स्थापना द्वारा किया जाता है, अर्थात् :—

(क) भारतीय दण्ड मंहिता की धारा 306 वा० 309 के अधीन दण्डनीय अपराध, और

(ख) उपर्युक्त व्यापक (क) में उल्लिखित एक या अधिक अपराधों के समधि में अथवा उनमें संबंधित प्रयत्नों, बुन्देल्ही नवा० पश्चिम और उन्हीं तथ्यों से उत्पन्न हुए उपराधों से उत्पन्न हुए उपराधों के दीरान किए गए अन्य कोई अपराध।

[संख्या 228/11/80-ए० वा० दी०-II]

MINISTRY OF HOME

(Department of Personnel & Administrative Reforms)

New Delhi, the 21st October, 1980

S.O. 3018.—In exercise of the powers conferred by section 3 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government hereby specifies the following offences as the offences which are to be investigated by the Delhi Special Police Establishment, namely :—

(a) Offences punishable under Section 306 and 309 of the Indian Penal Code; and

(b) attempts, abettments and conspiracies in relation to, or in connection with, one or more of the offences mentioned in clause (a) and any other offence committed in the course of the same transaction arising out of the same facts.

[No. 228/11/80-AVD-II]

नई दिल्ली, 23 अक्टूबर, 1980

का० आ० 3019 :—वृष्ट प्रक्रिया सहित 1973 (1974 का 2) की धारा 24 की उप धारा (8) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय मरकार, एवं दूसराश्य निम्न नामिकाके कानू० 3 में विनिर्दिष्ट दिल्ली विशेष पुलिस स्थापना मामलों के बारे में तालिका के कानू० 2 में निर्दिष्ट मद्रास के न्यायालय में राज्य की ओर से अधियोजन का संबोधन करते हुए श्री के० एम० रंगाचारी, अधिकारी मद्रास उच्च-न्यायालय को विशेष लोक अभियांत्रिक के स्पष्ट में नियुक्त करती है।

क्रम	न्यायालय का नाम	विशेष पुलिस स्थापना मामला संख्या
1	2	3

1	प्रथम अपर विशेष न्यायाधीश	श्री जी० के० गुप्ताहमण्डन के विरुद्ध नियमित मामला मंडला 42/74-मद्रास
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2	छठा अपर विशेष न्यायाधीश	श्री पी० एन० कृष्णन के विरुद्ध नियमित मामला मामला 43/76-मद्रास
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[संख्या 225/64/80-ए० दी० (II)]

New Delhi, the 23rd October, 1980

S. O. 3019.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974) the Central Government hereby appoints Shri K.M. Rangachari, Advocate, Madras High Court, as Special Public Prosecutor for conducting the prosecution on behalf of the State in the Court at Madras as specified in column (2) of the Table below in relation to the Delhi Special Police Establishment cases specified in column (3) thereof :

TABLE

Sl. No.	Name of the Court	SPE. C. S. N.
(1)	(2)	(3)
1. First Additional Special Judge.	Regular Case No. 42/74-MAD against Shri G.K. Subramanian.	
2. Sixth Additional Special Judge.	Regular Case No. 43/76-MAD against Shri P.N. Krishnan.	

[No. 225/64/80-AVD.II]

आदेश

का० आ० 3020.—दिल्ली विधेय पुनिम स्वापना अधिनियम, 1946 (1946 का 25) की धारा 6 के मात्र पठिन धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, राजस्थान राज्य सरकार की महसूल से, भारतीय वृष्टि परिवार, 1860 (1860 का 43) की धारा 303 तथा 364 के अधीन दण्डनीय अपराधों तथा उनक अपराधों के गमनन में या उनमें सम्बन्धित प्राचीन, दुर्लभ और पश्चिमों तथा राजस्थान राज्य में ग्राम सीधवाली, जिला कादा के अध्यवशीली, पुत्र तर मोहसूद गीर हन्ता के सम्बन्ध में थें ही सम्बन्धित दौरान किंग दूर शन्य किसी ग्राम का अन्वेषण करने के लिए दिल्ली विधेय पुनिम स्वापना के सम्बन्धीय एवं क्षेत्राधिकार का मम्पुर्ण राजस्थान राज्य में विस्तार करती है।

[मम्पा 228/7/80-प० बी० ई०-II]

ORDERS

S.O. 3020.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government, with the consent of the Government of the State of Rajasthan, extends to the whole of the State of Rajasthan the powers and jurisdiction of members of the Delhi Special Police Establishment for the investigation of offences punishable under sections 302 and 364 of the Indian Penal Code, 1860 (45 of 1860), and attempts, abetments and conspiracies in relation to, or in connection with, the said offences and any other offence committed in the course of the same transaction in regard to the death of Ayub Ali son of Noor Mohammed of Village Seeswali, District Kota in the State of Rajasthan.

[No. 228/7/80-AVD-II]

का० आ० 3021.—दिल्ली विधेय पुनिम स्वापना अधिनियम, 1946 (1946 का 25) की धारा 6 के मात्र पठिन धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, केन्द्रीय सरकार, उत्तर प्रदेश राज्य सरकार की महसूल संहिता, 1860 (1860 का 43) की धारा 147, 148, 149, 302 तथा 307 के अधीन दण्डनीय अपराधों तथा उनक अपराधों के सम्बन्ध में या उनसे सम्बन्धित प्रयत्नों, अध्येरणों और पश्चिमों तथा उत्तर प्रदेश राज्य में ग्राम अब्दुलापुर भोगी जिला गाँवियाबाद में 8/9 जुलाई, 1980 की गति को श्री घरकन (शिकारपुर के) की कथित हृत्या के मम्पन्धित पुनिम थाना, लालू की अपराध संख्या 321 के मम्पन्ध में थें ही संघवहार के दौरान किंग दूर शन्य किसी अपराध का अन्वेषण करने के लिए दिल्ली विधेय पुनिम स्वापना के मम्पन्धीय एवं क्षेत्राधिकार का मम्पुर्ण उत्तर प्रदेश राज्य में विस्तार करती है।

[मम्पा 228/8/80-प० बी० ई०-II]

S.O. 3021.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (25 of 1946), the Central Government, with the consent of the Government of the State of Uttar Pradesh, hereby extends to the whole of the State of Uttar Pradesh, the powers and jurisdiction of the members of the Delhi Special Police Establishment for the investigation of offences punishable under sections 147, 148, 149, 302 and 307 of the Indian Penal Code, 1860 (45 of 1860) and attempts, abetments and conspiracies in relation to, or in connection with, the said offences and any other offence committed in the course of the same transaction in regard to crime No. 321 of Police Station Hapur relating to alleged murder of Shri Barkat (of Shikarpur) on the night of the 8th/9th July, 1980 in village Abdulapur Mauri, District Ghaziabad in the State of Uttar Pradesh and corss-case No. 321-A dated the 10th July, 1980.

[No. 228/8/80-AVD-II]

नई दिल्ली, 24 अक्टूबर, 1980

का० आ० 3022.—दण्ड प्रतिक्रिया संहिता 1973 (1974 का 2) की धारा 24 की उप-धारा 8 द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार, केन्द्र में मूल अपीलीय तथा पुनरीक्षण न्यायालयों में धी बी० जे० जाव और भारत अध्यो के विमुद्द नियमित मामला मम्पा आर० सी० 12/ई० आ० डॅक्यू०/73/मद्रास में, अधियक्ष के अधिक्रोजन का सचायन करने के लिए धी गम० बी० कृष्ण, अधिवक्ता, प्रान्तिक्षेपम को एन्ड्रेस विशेष लोक अधियोजन के लाए में नियुक्त करती है।

[संख्या 225/59/80-ग० ली० ई०-II]

धी क० मुमण्डियन, प्रवर मण्डिय

New Delhi, the 24th October, 1980

S.O. 3022.—In exercise of the powers conferred by sub-section (8) of section 24 of the Code of Criminal Procedure, 1973 (2 of 1974), the Central Government hereby appoints Shri M. B. KURUP, Advocate ERNAKULAM, as a Special Public Prosecutor for conducting the prosecution of the accused in regular case No. RC. 12[EOW]73[Madras against Shri V. J. Joy and seven others in the original, appellate and revisional courts in Kerala.

[No. 225/59/80-AVD-II]

T. K. SUBRAMANIAN, Under Secy.

विसं मंत्रालय-

(राजस्व विभाग)

नई दिल्ली, 28 अगस्त, 1980

का० आ० 3023.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23 ग) के अप० (v) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, “कुरुक्षेत्र इवल्पमेट बोर्ड” को नियरिंग वर्ष 1981-82 और 1982-83 के लिए उनक धारा के प्रयोजनार्थे ग्रहित्युक्ति करती है।

[सं० 3639 फा० सं० 197/114/80-मा० क (प० 1)]

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 28th August, 1980

(INCOME TAX)

S.O. 3023.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Kurukshetra Development Board” for the purpose of the said section for the assessment year(s) 1981-82 and 1982-83.

[No. 3639 F. No. 197/144/80-IT(AI)]

नई दिल्ली, 30 अगस्त, 1980

का० आ० 3024.—केन्द्रीय सरकार, प्राय-कर अधिनियम, 1961 (1961 का 43) की धारा 10 की उपधारा (23 ग) के अप० (5) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, “विज्ञाना मादिर, कुरुलू को निर्धारण वर्ष 1979-80 और 1980-81 के लिए उनक धारा के प्रयोजनार्थे अधिसूचित करती है।

[सं० 3644 फा० सं० 197/11/80-मा० क (प० 1)]

New Delhi, the 30th August, 1980

S.O. 3024.—In exercise of the powers conferred by clause (v) of sub-section (23C) of section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Vignana Mandir, Kurnool” for the purpose of the said section for the assessment year(s) 1979-80 and 1980-81.

[No. 3644 F. No. 197/11/80-IT-(AI)]

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 26 मार्च, 1980

प्राय-कर

का० आ० 3025.—केन्द्रीय प्रत्यक्ष कर बोर्ड, प्राय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए समय-समय पर यथा संशोधित प्रधिसूचना सं० 698 फा० मं० 187/2/74-प्रा० क० (ए 1) तारीख 20-7-1974 में निम्नलिखित संशोधन करता हैः—

“प्राय-कर आयुक्त, पुणे II, पुणे के भारसाधन से संबंधित क्रम सं० 19 के सामने स्तंभ 3 के नीचे ‘केन्द्रीय सक्ति I, पुणे, प्रविष्टि अत्यस्थापित की जाएगी।’

यह प्रधिसूचना 26-9-79 से प्रभावी होगी।

[सं० 3226/फा० सं० 187/13/79-प्रा० क० (ए 1)]

(Central Board of Direct Taxes)
New Delhi, the 26th March, 1980

INCOME-TAX

S.O. 3025.—In exercise of the powers conferred by sub-Section (1) of Section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes, hereby makes the following amendments to the Notification No. 697 (F. No. 187/2/74-IT(AI) dated 20-7-1974 as amended from time to time :—

“The entry Central Circle-IV, Pune, shall be inserted under Column 3 against S. No. 19A in respect of the charge of the Commissioner of Income-tax, Pune-II, Pune.”

This notification shall take effect from 26-9-79.

[No. 3226/F. No. 187/13/79-IT(AI)]

का० आ० 7026.—केन्द्रीय प्रत्यक्ष कर बोर्ड, प्राय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 121 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, समय-समय पर यथा संशोधित प्रधिसूचना सं० 697 फा० मं० 187/2/74-प्रा० क० (ए 1) तारीख 20-7-1974 में निम्नलिखित संशोधन करता है—

(1) प्रा० क० पुणे I, पुणे के भारसाधन से संबंधित क्रम सं० 19 के सामने स्तंभ 3 के नीचे ‘केन्द्रीय सक्ति I, पुणे और केन्द्रीय सक्ति-III, पुणे’ प्रविष्टि अंत स्थापित की जाएंगी।

(2) प्रा० क० पुणे II के भारसाधन से संबंधित क्रम सं० 19 के सामने स्तंभ 3 में ‘केन्द्रीय सक्ति-II’ प्रविष्टि अंत स्थापित की जाएगी।

यह प्रधिसूचना 1-4-1978 से प्रभावी होगी।

[सं० 3227/फा० सं० 187/13/79-प्रा० क० (ए 1)]

S.O. 3026.—In exercise of the powers conferred by sub-section (1) of section 121 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes, hereby makes the following amendments to the notification No. 697, F. No. 187/2/74-IT(AI) dated 20-7-1974 as amended from time to time.

- (1) The entry ‘Central Circle-I, Pune’, and ‘Central Circle-III, Pune’, shall be inserted under Column 3 against S. No. 19 in respect of the charge of the C.I.T. Pune-I, Pune.
- (2) The entry Central Circle-II shall be inserted in column 3 against S. No. 19A in respect of the charge of C.I.T. Pune-II, Pune.

This notification shall take effect from 1-4-1978.

[No. 3227/F. No. 187/13/79-IT(AI)]

नई दिल्ली, 25 सितम्बर, 1980

(प्राय-कर)

का० आ० 3027.—केन्द्रीय सरकार, प्राय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 80 छ की उपधारा 2 (अ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, “श्री एरुल्मिगु कपलिष्वरार मंदिर, माइल-पुर, मद्रास” को, उक्त धारा के प्रयोगनों के लिए तमिलनाडु राज्य में सर्वेत्र विषयात लोक पूजा का स्थान प्रधिसूचित करती है।

[सं० 3674/फा० सं० 176/42/80-प्रा० क० (ए 1)]

बो० एम० मिहू, प्रब्रह्म सचिव

New Delhi, the 25th September, 1980

(INCOME TAX)

S.O. 3027.—In exercise of the powers conferred by sub-section (2)(a) of Section 80-G of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies “Arulmigu Kapaleeswarar Temple, Mylapore, Madras” to be a place of public worship of renown throughout the State of Tamil Nadu for the purpose of the said section.

[F. No. 176/42/80-IT(AI)]

B. M. SINGH, Under Secy.

(राजस्व विभाग)

नई दिल्ली, 20 सितम्बर, 1980

(प्राय-कर)

का० आ० 3028.—प्राय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के छण्ड (44) के उप-छण्ड (iii) का प्रनुसारण करते हुए, तथा भारत सरकार के राजस्व विभाग की 20 सितम्बर, 1979 की प्रधिसूचना सं० 3013 फा० सं० 404/27/क० व० अ० बड़ोदा/79-प्रा० क० म० स० क०) का प्रधिलंबन करते हुए, केन्द्रीय सरकार एतद्वारा श्री जी० जी० मिस्ट्री को, जो केन्द्रीय सरकार के राजस्वित प्रधिकारी हैं, उक्त प्रधिनियम के अन्तर्गत कर वसूली प्रधिकारी की शक्तियों का प्रयोग करने के लिए प्रधिसूचित करती है।

2. यह प्रधिसूचना श्री जी० जी० मिस्ट्री द्वारा कर वसूली प्रधिकारी के पद का कार्यभार प्रहण करने को तारीख से लागू होगी।

[सं० 3668 फा० सं० 398/18/80-प्रा० क० म० क०]

(Department of Revenue)

New Delhi, the 20th September, 1980

INCOME TAX

S.O. 3028.—In pursuance of sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), and in supersession of Notification of the Government of India in the Department of Revenue No. 3013 (F. No. 404/27-TRO. Baroda/79-ITCC) dated 20-9-79, the Central Government hereby authorises Shri G. G. MISTRY, being a gazetted Officer of the Central Government, to exercise the powers of a Tax Recovery Officer under the said Act.

2. This Notification shall come into force with effect from the date Shri G. G. MISTRY takes over charge as Tax Recovery Officer.

[No. 3668/F. No. 398/18/80-NTCC]

नई दिल्ली, 23 सितम्बर 1980

(प्राय-कर)

का० आ० 3029.—प्राय-कर प्रधिनियम, 1961 (1961 का 43) की धारा 2 के छण्ड (44) के उप-छण्ड (III) के प्रनुसारण में, श्री एम० चिवाम्बर धानु पिल्लै को कर वसूली प्रधिकारी के रूप में नियुक्त करने के बारे में जारी की गई वित्ती 15 मई, 1980 की प्रधिसूचना संख्या 3305 फा० सं० 398/6/80-प्रा० कर सं० कश.) को एतद्वारा रद्द किया जाता है।

2. यह अधिसूचना श्री एम० चिदम्बर थानू. पिल्लै द्वारा कर वसूली प्रधिकारी के पद का कार्यसार, सौपने की तारीख से लागू होगी।

[सं० 3671 फा० सं० 398/6/80-प्रायकर सं० (क)]
एच० वेंकटरामन, उप सचिव

New Delhi, the 23rd September, 1980

(INCOME-TAX)

S.O. 3029.—The Notification No. 3305 (F. No. 398/6/80-ITCC) dated 15-5-1980 issued in pursuance of sub-clause (iii) of clause (44) of section 2 of the Income-tax Act, 1961 (43 of 1961) appointing Shri M. Chidambara Thanu Pillai as Tax Recovery Officer is hereby cancelled.

2. This Notification shall come into force with effect from the date Shrir M. Chidambara Thanu Pillai hands over charge as Tax Recovery Officer.

[No. 3671/F. No. 398/6/80-ITCC]
H. VENKATARAMAN, Dy. Secy.

नई दिल्ली, 20 सितम्बर, 1980

(प्राय-कर)

का० फा० 3030.—केन्द्रीय सरकार, प्रायकर अधिनियम, 1961 (1961 का 43) की धारा 138 की उपधारा (1) के अन्तर्गत (क) के उपशाखा (ii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, उक्त उपशाखा के प्रयोगनों के लिए, पंजाब सरकार के आदेश सं० 4019-5 (2)-72 तारीख 14-8-1972 के साथ पठित अधिसूचना सं० 7823-3 एच-88/7966, तारीख 12-8-1968 के अधीन पंजाब सरकार द्वारा सूचित सनकर्ता व्यूरो में काम कर रहे पुरिस प्रधीकार की पंक्ति या उससे ऊपर की पंक्ति के प्रत्येक प्रधिकारी को, विनिर्दिष्ट करती है।

[सं० 3670/फा० सं० 225/20/79-प्राईटी ए II]
हरी नामायण, प्रबंध सचिव

New Delhi, the 20th September, 1980

INCOME TAX

S.O. 3030.—In exercise of the powers conferred by sub-clause (ii) of clause (a) of sub-section (1) of section 138 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby specifies, for the purposes of the said sub-clause every officer of or above the rank of a Superintendent of Police serving in the Vigilance Bureau created by the Punjab Government under Notification No. 7823-3H-68/7966 dated 12-8-1968 read with Order No. 4019-V(2)-72 dated 14-8-1972 of the Government of Punjab.

[No. 3670/F. No. 225/20/79-ITA-II]
HARI NARAIN, Under Secy.

(प्राधिकरण कार्य विभाग)

(वैकाश प्रधान)

नई दिल्ली, 24 अक्टूबर, 1980

का० फा० 3031.—प्रौद्योगिक वित्त निगम अधिनियम, (1948 का 15) की धारा 5 के अनुसरण में केन्द्रीय सरकार, भारतीय प्रौद्योगिक वित्त निगम द्वारा जारी की गई 2,50,00,000 रुपए की अतिरिक्त शेयर पूँजी पर उक्त सरकार द्वारा गारंटीकृत लाभांश की न्यूनतम वार्षिक दर एतद्वारा 6 प्रतिशत (छह प्रतिशत) निश्चिन्त करती है।

[संघा एफ० 2(33) आई०एफ०-1/80]
विनोद दाल, निवेशक

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 24th October, 1980

S.O. 3031.—In pursuance of Section 5 of the Industrial Finance Corporation Act, 1948 (15 of 1948), the Central Government hereby fixes the minimum rate of annual dividend guaranteed by that Government on the additional share capital of Rs. 2,50,00,000 to be issued by the Industrial Finance Corporation of India, as 6 per cent (six per cent).

[No. F. 2(33)IF. I/80]
VINOD DHALL, Director

(केन्द्रीय उत्पाद तथा सीमा शुल्क समाहृतीय, परिवहन बंगाल)

कलकत्ता, 22 सितम्बर, 1980

का० फा० 3032.—केन्द्रीय उत्पाद शुल्क नियमावली, 1944 के नियम 5 के अधीन दी गई अधिकारों का प्रयोग करते हुए मैं इसके द्वारा केन्द्रीय उत्पाद शुल्क समाहृतीय, परिवहन बंगाल में अधीक्षक, केन्द्रीय उत्पाद शुल्क को अपने संबंधित खेत्राधिकार में आवरण, वाद्य आवाहान या लेखन के अनुमोदन के संबंध में, वशर्ते कि अवधारण आविष्कार के अनुमोदित नमूने खेत्राधिकार याकै सहायक समाहृतीयों को भेजा गया हो तथा समाहृती को भी भेजा गया हो तियम 93(क) के अधीन समाहृती की शक्तियों का प्रयोग करने के लिए अधिकृत करता हूँ।

[अधिसूचना सं० 2/क०उ०/प०ब०/80 फा० सं० 4(4) 11-क०उ०/प०ब०/80]
एम० मुख्याध्याय, समाहृती

(Collectorate of Central Excises and Customs, West Bengal)

Calcutta, the 22nd September, 1980

S.O. 3032.—In exercise of the powers conferred on me under rule 5 of the Central Excise Rules, 1944, I hereby authorise the Superintendent of Central Excise in the Collectorate of Central Excise, West Bengal to exercise the powers of the Collector under rule 93(b) ibid in their respective jurisdiction in regard to approval of wrappers, outer covering on labels subject to the conditions that the approved specimens of wrappers etc. are sent to the jurisdictional Assistant Collectors and also to the Collector.

[F. No. 2/CE/WB/80/C. No. IV(4)II-CE/WB/80]

S. MUKHOPADHYAY, Collector Excise and Customs

वाणिज्य एवं नागरिक आपूर्ति संबंधी

सुधर नियंत्रक आवात-नियंत्रण का कार्यालय

द्वारेश

नई दिल्ली, 25 अक्टूबर, 1980

का० फा० 3033.—सर्वश्री केरल स्टेट इलेक्ट्रोनिक्स हिक्वेलपर्सेट कारोबोरेशन लि० चिव्वेन्ट्रम को मुक्त विद्युतीय मुद्रा के अधीन लाइसेंस के लिए संलग्न सूची के अनुसार प्रोसेस सेन्ट्रल इलेक्ट्रोनिक्स का आवात करने के लिए 30,00,000/ रुपये का आवात लाइसेंस सं० जी/एफ/2028509 दिनांक 26-11-79 प्रदान किया गया था। आवेदक ने उपलब्ध लाइसेंस की मुद्रा विनियम नियंत्रण प्रति की अनुविधि प्रति के लिए इस आवात पर आवेदन किया है कि मृत मुद्रा विनियम नियंत्रण प्रति द्वारा गई या अस्थानस्थ हो गई है। आपे यह बताया गया है कि मृत मुद्रा विनियम नियंत्रण प्रति का प्राथिक रूप से या पूर्ण रूप से विलकृत भी उपयोग नहीं किया गया है।

2. अपने तर्क के समर्थन में लाइसेंसदारी ने उपमण्डल-मेजिस्ट्रेट के ममुख विधिवृत्त शपथ लेकर स्टाम्प कराया पर एक शपथ-पत्र वार्षिक किया है। तदनुसार मैं संतुष्ट हूँ कि आवात लाइसेंस सं० जी/एफ/2028509 दिनांक 26-11-79 की मूल मुद्रा विनियम नियंत्रण प्रति द्वारा गई है या अस्थानस्थ हो गई है। यथासंतोषित आवात (नियंत्रण आवेदन, 1955 दिनांक 7-12-55 की उपाधारा 9 (सी सी) द्वारा प्रदत्त अधिकारों का

प्रयोग करते हुए सर्वश्री केरल इलेक्ट्रिकल इंजिनियरिंग कॉर्पोरेशन निः ० क्षिक्षणम् को जारी किए गए आयात लाइसेंस स० जी/एफ/2028509 दिनांक 26-11-79 की उक्त मूल मुद्रा विनियम प्रति एन्द्र द्वारा रद्द की जाती है।

3. उक्त लाइसेंस की मुद्रा विनियम नियंत्रण प्रति की अनुलिपि प्रति पार्टी को अलग से जारी की जा रही है।

[मं० 11/सी०डी०ई०ई/79-80/सी०जी०१]

जी. एस. ग्रेवाल, उप-मुख्य नियंत्रक, आयात-नियंत्रण।

MINISTRY OF COMERCE AND CIVIL SUPPLIES

(Office of the Chief Controller of Imports & Exports)

ORDER

New Delhi, the 25th October, 1980

S.O. 3033.—M/s. Kerala State Electronics Development Corporation Ltd., Trivandrum were granted an import licence No. G/F/2028509 dated 26-11-79 for Rs. 30,00,000 (Rupees Thirty Lakhs only) for import of Process Control Instruments as per list attested with the licence under Free Foreign Exchange. The firm has applied for issue of Duplicate copy of Exchange Control purposes copy of the above mentioned licence on the ground that the original Exchange Control copy of the licence has been lost or misplaced. It has further been stated that the Exchange Control copy of the licence has not been utilised either partly or at all.

2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Sub-Divisional Magistrate, New Delhi. I am accordingly satisfied that the original Exchange Control purposes copy of import or misplaced by the firm. In exercise of the powers conferred under sub-clause 9(cc) of the Import (Control) Order, port licence No G/F/2028509 dated 26-11-79 has been lost/ 1955 dated 7-12-1955 as amended, the said original Exchange Control purposes copy No. G/F/2028509 dated 26-11-79 issued to M/s. Kerala State Electronics Development Corporation Limited, Trivandrum is hereby cancelled.

3. A duplicate Exchange Control copy of the said licence is being issued to the party separately.

[No. 11/CDE/79-80/CGII]

G. S. GREWAL, Dy. Chief Controller of Imports & Exports

संयुक्त मुख्य नियंत्रक, आयात-नियंत्रण का कार्यालय

ग्रावेल

मात्राम्, 30 मितम्बर, 1980

का० आ० 3034.—सर्वश्री किंग फलावर यूनिट प्राइवेट लिमिटेड, मातृपुर विलेज, कुलत्तूर दालुक, पुरुवकोट्टै जिला को, रुपये 8,90,000 तक, (1) रोलर मिल 6 नम्बर्स, (2) द्राघमर 1 नम्बर, (3) प्लानमिटर 2 नम्बर्स, (4) प्लॉरिफ्यर 1 नम्बर्स (5) पुनुमाटिक ट्रान्सपोर्ट

सिस्टम, (6) बृशमर एवं हविजमर 1 नम्बर, (7) ड्राघ स्टोनर-जो० डी० आर 1 नम्बर, (8) ब्रश मशीन 1 नम्बर तथा (9) आसपिरेटर सेपरेटर 1 नम्बर का आयात करने के लिए लाइसेंस संख्या पी-सी०जी०-2037899-सी-एसएम-15-एम-79 दिनांक 7-4-1980 जारी किया गया था। लाइसेंसधारी ने उपर्युक्त लाइसेंस की सीमा गुलक प्रयोजनार्थ प्रति की अनुलिपि प्रति जारी करने के लिए इमिलिंग प्रारंभित की है कि उक्त लाइसेंस किसी भी सीमाशुल्क प्राधिकारों से प्राप्त करकर्त्तये बिना और बिल्कुल उपयोग में लाये बिना खो दी गयी है।

ग्रावेल ने अपने तरफ के समर्थन में एक शारथ पत्र दाखिल किया है। अधोहस्ताक्षरी इस बात से संतुष्ट है कि लाइसेंस संख्या पी-सी०जी०-2034899-सी-एसएम-75-एम-79 दिनांक 7-4-1980 की सीमाशुल्क प्रयोजनार्थ प्रति की मूल प्रति खो दी गयी है और अवैश देता है कि ग्रावेल को उपर्युक्त लाइसेंस की सीमाशुल्क प्रयोजनार्थ प्रति को अनुलिपि प्रति जारी की जाय लाइसेंस की मूल प्रति एन्द्र द्वारा रद्द किया जाता है।

अनुलिपि प्रति लाइसेंस संख्या सीमाशुल्क प्रयोजनार्थ प्रति मात्रा डी-2467683 दिनांक 9-4-1980 अलग जारी किया गया है।

[फा० स० आई०टीसी०सी०जी०डी०-48-एम०८०-एय०२]

के० रामन, उप-मुख्य नियंत्रक आयात तथा नियंत्रण

क्रते संयुक्त मुख्य नियंत्रक, आयात तथा नियंत्रण

OFFICE OF THE JOINT CHIEF CONTROLLER OF IMPORTS AND EXPORTS

ORDER

Madras, the 18th September, 1980

S.O. 3034.—M/s. Kink Floor Unit (P) Ltd., Mathur Village, Kulathur Taluk Pudukkottai Distt. were granted licence No. P/CG/2034899/C/XX/15/M/79 dated 7-4-1980 for import of 1. Roller Mill 6 Nos. 2. Tricur 1 No. 3. Plansifter 2 Nos. Pulinor 2 Nos. 5. Pnuomatic Transport system 6. Washer & Whizzor 1 No. 7. Dry stoner[G.D.R. 1 No. 8. Brush Machine 1 No. 9. Aspirator separator 1 No. for Rs. 8,90,000. They have requested for the issue of a duplicate copy of the above licence (Customs Purpose Copy) which has been lost by them. Further it has been stated by them that the above licence has been lost by them without having been registered with any Customs authorities and utilised at all.

In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the original copy of the licence is hereby cancelled.

A duplicate licence (Customs purpose copy only) No. D/2464683 dated 9-8-1980 has been issued separately.

[F. No. ITC/CG/DGTD/48/A.M. 80/AU.II]

K. RAMAN, Dy Chief Controller of Imports & Exports.
For Joint Chief Controller of Imports and Exports.

(नागरिक पूर्ति विभाग)

भारतीय मालक संस्था

नई दिल्ली, 1980-10-22

का०आ० 3035.—समय-समय पर मंशोधित भारतीय मानक संस्था (प्रमाणन विहृ) विनियम, 1955 के उपविनियम (4) के विनियम 14 के प्रनुसार भारतीय मालक संस्था एटडाग्र मूलत किया जाता है कि जिस लाइसेंस संख्या सी.एम./एल-2386 के विवरण नीचे अनुसूची में दिए गए हैं 25 सितम्बर, 1979 से रद्द कर दिया गया है क्योंकि फर्म ने अपना लाइसेंस बांपिया कर दिया है।

भव्यता

क्रम संख्या	लाइसेंस संख्या एवं तिथि	लाइसेंस धारी का नाम और पता	रद्द लाइसेंस के प्रत्यर्गत आने वाली वस्तु/प्रक्रम	सम्बद्ध भारतीय मानक
1	2	3	4	5
सी एम/एल-2386 दिनांक 1970-08-10	मैसर्स पम्पर डिस्टिलरी, इण्डिया शुगर्स परियोगित स्प्रिट मेड 1 एण्ड रिकाइनरीज लिं, हासपेट, जिला बेलारी (मैसूर राज्य) ।		IS : 323-1959 परियोगित स्प्रिट की विधिविदि (पुनरीक्षित)	[सं० सी०एम०टी०/55 : 2386] ए० पी० बनर्जी, प्रपर महानिवेशक

(Department of Civil Supplies)
INDIAN STANDARDS INSTITUTION

New Delhi, the 22nd October, 1980

S.O. 3035.—In pursuance of sub-regulation (4) of regulation 14 of the Indian Standards Institution (Certification Marks) Regulations 1955 as amended from time to time, the Indian Standards Institution hereby notifies that Licence No. CM/L-2386 particulars of which are given in the Schedule below has been cancelled with effect from 25 September 1979 as the firm has surrendered their licence :—

SCHEDULE

Sl. No.	Licence No. and Date No.	Name & Address of the licensee	Article/Process covered by the Licence Cancelled	Relevant Indian Standards
(1)	(2)	(3)	(4)	(5)
CM/L-2386 dated 1970-08-10	M/s Pampser Distillery, India Sugars & Refineries Ltd, Hospet, Bellary Dist, Mysore State	Rectified spirit, grade 1	IS : 323-1959 Specification for rectified spirit (revised)	

[No. CMD/55 : 2386]
A. P. BANERJI, Additional Director General, ISI

विदेश मंत्रालय

नई दिल्ली, 21 अक्टूबर, 1980

General of India, Odessa, to perform the duties of a Consular Agent with immediate effect.

[F. No. T-4330/1/80]

का० आ० 3036.—राजनयिक एवं कोसली प्रधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के खण्ड (क) के प्रत्युत्तरण में, केन्द्र सरकार इनके द्वारा भारत का प्रधान कोसलावास, भौंडेसा में अधिकार तहायक श्री एम०एल० राजपाल को तत्काल से कोसली एजेंट के रूप में कार्य करने के लिए प्राधिकृत करती है।

[फा० सं० टी०-4330/1/80]

का० आ० 3037.—राजनयिक एवं कोसली प्रधिकारी (शपथ एवं शुल्क) अधिनियम, 1948 (1948 का 41) की धारा 2 के खण्ड (क) के प्रत्युत्तरण में, केन्द्र सरकार, इसके द्वारा भारत का हाई कमोशन, लुसाका, जान्बिया में सहायक श्री ए० क० दे को तत्काल से कोंसलो एजेंट का कार्य करने के लिए प्राधिकृत करती है।

[फा० सं० टी०-4330/1/80]
जे० हजारी, अवर सचिव,

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 21st October, 1980

S.O. 3036.—In pursuance of clause (a) of Section 2 of the Diplomatic and Consular Officer (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri M. L. Rajpal, Personal Assistant in the Consulate

S.O. 3037.—In pursuance of the clause (a) of Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri A. K. Dey, Assistant in the High Commission of India, Lusaka, Zambia to perform the duties of a Consular Agent with immediate effect.

[F. No. T. 4330/1/80]
J. HAZARI, Under Secy.

पेट्रोलियम, रसायन और उर्वरक मंत्रालय

(पेट्रोलियम विभाग)

गुरु-पत्र

नई दिल्ली, 7 अक्टूबर, 1980

का०आ० 3038.—पेट्रोलियम और अनिज पाइपलाइन (सूमि में उपयोग के प्रधिकार का प्रार्जन) अधिनियम, 1962 (1962 का 50) के प्रत्यर्गत भारत सरकार पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) द्वारा जारी प्रधिसूचना का०आ० सं० 1381, संख्या 12020/8/80-प्र०५० दिनांक 28-4-80 के संलग्न प्रत्युत्तरी में भारत सरकार के राजपत्र के भाग II, खण्ड 3, उपखण्ड (ii), दिनांक 17-5-80 में प्रकाशित सहस्रील पत्रल, जिला करीबादाब, राज्य इरियाणा के लिये :

के स्थान पर

पढ़े

ग्राम	खसरा नं०	संकेतकल			खसरा नं०	संकेतकल		
		हेक्टर	ऐयर	बर्ग मी०		हेक्टर	ऐयर	बर्ग मी०
I	2	3	4	5	6	7	8	9
होड़ल ह० 93	91/31/2 मिन 127/14/1 मिन — 494/4 मिन 419/11/1 मिन	0 0 — 0 0	09 01 — 16 08	11 77 — 19 30	91/21/2 मिन 127/4/1 मिन 202/15 मिन 494 मिन 419/11/1 मिन	0 0 0 0 0	09 01 10 16 04	11 77 12 19 30
तोर्पेल ह० 89	—	—	—	—	138/1 मिन	0	10	11
बचारी ह० 124	50/672 मिन 124/9 मिन 142/4/3 मिन 142/7 मिन 35/16 मिन 42/13/1 मिन 1104/10/1 मिन	0 0 0 0 0 0 0	00 01 00 08 09 01 07	76 26 25 85 61 01 08	672 मिन 142/9 मिन 147/4/3 मिन 147/7 मिन 25/16 मिन 42/13/2 मिन 104/10/1 मिन	0 0 0 0 0 0 0	00 01 00 08 09 01 07	76 26 25 85 61 01 08
सिल्ली ह० 87	6/27/2 मिन 5/24 मिन 6/24 मिन 6/22 मिन — — —	0 0 0 0 — — —	07 10 01 00 — — —	59 11 26 00 — — —	6/22/2 मिन 58/24 मिन 24 मिन 22 मिन 9/12 मिन 9/18/2 मिन 9/19 मिन	0 0 0 0 0 0 0	07 10 01 00 09 00 10	59 11 26 00 36 00 11
महेशपुर ह० 24	—	—	—	—	—	0	09	36
किशोर पुर ह० 18	—	—	—	—	—	0	00	00
राजपुर बागर ह० 19	—	—	—	—	—	0	10	11

[संख्या 12020/8/80-प्रोड०]

MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS

(Department of Petroleum)

ERRATA

New Delhi, the 7th October, 1980

S.O. 3088—In the Schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum), S.O. No. 1381, No. 12020/8/80 (Prod) dated, 28th April 1980 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) published at pages 1416-1423 dated, 17th May, 1980 of the Gazette of India Part II, Section 3, Sub-section (ii) for Tahsil Palwal, Distt Faridabad, State of Haryana.

Name of Village	Khasia No	For			Read			
		H	A	Sq.Mtrs.	Khasera No	H	A	Sq Mtrs.
Hodel H No. 93	91/22/11 Min 380/1443 Min 380/1448 Min 379/588 Min 399/589 Min	0 0 0 0 0	00 01 00 01 03	00 52 76 01 04	91/22/1 Min 1443 Min 1448 Min 588 Min 589 Min	0 0 0 0 0	00 01 00 01 03	00 52 76 01 04
Sondhad H No.89	8905/17 Min 167/25/2 Min	0 9	10 01	12 01	105/17 Min 167/25/2 Min	0 0	10 01	12 01
Banchari H.No. 124	10/11/1 Min	0	04	05	50/11/1 Min	0	04	05
Ahrwan H. No 32	25 Min	0	07	08	29/25 Min	0	07	08
Rajupur Bangur H.No. 19	9/2 Min 13/3/2 Min 13/2 Min	0 0 0	09 02 00	36 53 76	9/12 Min 12/3/2 Min 12/13/2 Min	0 0 0	09 02 00	36 53 76

[No. 12020/8/80-Prod].

का०ग्रा० 3039.—ऐद्रोलियम और अनिज पाइपलाइन (भूमि में उपयोग के प्रधिकार का वर्जन) प्रधिनियम, 1962 (1962 का 50) के प्रस्तरांत भारत सरकार, ऐद्रोलियम, रसायन और उर्वरक मंत्रालय (ऐद्रोलियम विभाग) द्वारा जारी प्रधिसूचना, का०ग्रा० सं० 1381 संख्या 12020/8/80—प्रैट, विनांक 28-4-80 के संलग्न अनुसूची में भारत के राजपत्र के भाग II, वर्ष 3, उपखण्ड (ii) दिनांक 24-5-80 में प्रकाशित तहसील पलवल जिला फरीदाबाद राज्य हरियाणा के लिये :

ग्राम	क्रमांक	के स्थान पर			परं			
		शेक्षणफल			शेक्षण			
		देश्टर	मेयर	वर्ग मी०	देश्टर	मेयर	वर्ग मी०	
1	2	3	4	5	6	7	8	9
भुजवाना ह०न० 94	97/15/2 मिन	0	01	52	98/15/2 मिन	0	01	52
	97/16 मिन	0	00	00	98/16 मिन	0	00	00
	97/26 मिन	0	03	79	98/26 मिन	0	03	79
होड़ल ह०न० 93	93/9/2 मिन	0	10	12	93/9 मिन	0	10	12
	124/14 मिन	0	02	05	124/14 मिन	0	02	53
	124/17 मिन	0	09	08	124/17 मिन	0	09	86
	127/6 मिन	0	07	08	127/6 मिन	0	07	33
	1318 मिन	0	01	26	1318 मिन	0	01	51
	230/10 मिन	0	06	32	230/10 मिन	0	06	98
	270/25/2 मिन	0	10	12	270/25/2/1 मिन	0	08	60
	—	0	00	00	270/25/2/3 मिन	0	01	52
	320/7 मिन	0	01	01	320/7 मिन	0	01	26
	320/14 मिन	0	09	36	320/14 मिन	0	09	61
	333/19 मिन	0	03	54	333/19 मिन	0	03	79
	334/6/1 मिन	0	02	02	334/6/1 मिन	0	02	53
	349/2 मिन	0	08	09	349/2 मिन	0	08	35
	—	0	00	00	349/9 मिन	0	00	25
	349/18 मिन	0	02	53	349/18 मिन	0	02	78
	357/5 मिन	0	03	29	357/5 मिन	0	03	51
	375/23/2 मिन	0	06	32	375/23/2 मिन	0	07	09
	380/14 मिन	0	02	28	380/14 मिन	0	02	53
	379/21 मिन	0	02	02	379/21 मिन	0	02	53
	399/10/2 मिन	0	01	77	399/10/2 मिन	0	02	03
	399/10/3 मिन	0	00	51	399/10/3 मिन	0	00	76
	402/7 मिन	0	05	06	402/7 मिन	0	05	31
	402/8 मिन	0	05	06	402/8 मिन	0	05	31
	402/17 मिन	0	08	09	402/17 मिन	0	08	35
	419/10 मिन	0	08	35	419/10 मिन	0	08	86
	420/2/2 मिन	0	02	53	420/2/2 मिन	0	02	78
	584 मिन	0	01	01	584 मिन	0	02	02
	127/7 मिन	0	03	04	127/7 मिन	0	02	78
	157/20 मिन	0	05	06	157/20 मिन	0	04	81
	202/5 मिन	0	10	12	202/5 मिन	0	08	86
	202/16/2 मिन	0	01	01	202/16/2 मिन	0	00	51
	230/9 मिन	0	01	52	230/9 मिन	0	01	26
	284/15/1 मिन	0	00	25	284/15/1 मिन	0	00	00
	304/13 मिन	0	01	77	304/13 मिन	0	01	02
	304/26 मिन	0	00	51	304/26 मिन	0	00	25
	320/8 मिन	0	08	36	320/8 मिन	0	08	10
	320/13 मिन	0	00	51	320/13 मिन	0	00	25
	334/6/2 मिन	0	01	26	334/6/2 मिन	0	01	01
	349/3/1 मिन	0	02	02	349/3/1 मिन	0	01	77
	349/8/2 मिन	0	03	56	349/8/2 मिन	0	05	31
	349/17 मिन	0	07	59	349/17 मिन	0	07	34
	357/4 मिन	0	06	83	357/4 मिन	0	06	58

1	2	3	4	5	0	7	8	9
	375/2 मिन	0	07	35	375/2 मिन	0	07	33
	375/24/1 मिन	0	01	77	375/24/1 मिन	0	01	01
	380/6 मिन	0	00	25	380/6 मिन	—	—	—
	399/9 मिन	0	01	77	399/9 मिन	0	01	51
	399/12 मिन	0	10	12	399/12 मिन	0	09	87
	399/23/1 मिन	0	04	55	399/23/1 मिन	0	04	30
	402/16/3 मिन	0	02	02	402/16/3 मिन	0	01	77
	402/25/1 मिन	0	06	58	402/25/1 मिन	0	06	32
	418/5/3 मिन	0	06	83	418/5/3 मिन	0	06	58
	419/1 मिन	0	00	51	419/1 मिन	0	00	25
	420/2/1/2/3 मिन	0	05	82	420/2/1/2/3 मिन	0	05	56
	380/27 मिन	0	00	25	380/27 मिन	0	00	00
झोंधव ह०न० 89	74/11 मिन	0	02	78	74/11 मिन	0	03	05
	103/23 मिन	0	08	60	103/23 मिन	0	08	85
	105/25/1 मिन	0	01	52	105/25/1 मिन	0	01	75
	134/5/2 मिन	0	08	10	134/5/2 मिन	0	08	35
	134/16/1 मिन	0	05	06	134/16/1 मिन	0	05	82
	136/10 मिन	0	09	36	136/10/1 मिन	0	09	62
	136/11 मिन	0	01	52	136/11 मिन	0	01	77
	136/22/1 मिन	0	06	83	136/22/1 मिन	0	07	09
	136/22/2 मिन	0	03	29	136/22/2 मिन	0	03	05
	164/23/1 मिन	0	01	01	164/23/1/1 मिन	0	01	01
	167/17/1 मिन	0	01	26	167/17/1 मिन	0	01	52
	197/10 मिन	0	02	53	197/10 मिन	0	02	78
	46/25 मिन	0	07	59	46/25 मिन	0	08	09
	470 मिन	0	00	25	1170 मिन	0	00	25
	46/25 मिन	0	02	53	46/24 मिन	0	02	01
	74/10 मिन	0	02	78	74/10 मिन	0	02	53
	103/19 मिन	0	01	77	103/15 मिन	0	01	52
	105/25 मिन	0	08	60	105/24 मिन	0	08	35
	134/5/1 मिन	0	01	52	134/5/1 मिन	0	01	26
	134/4 मिन	0	00	51	134/4 मिन	0	00	25
	135/20 मिन	0	05	06	135/20 मिन	0	04	30
	136/9 मिन	0	00	76	136/9 मिन	0	00	51
	136/12 मिन	0	08	00	136/12 मिन	0	08	35
	197/11 मिन	0	10	12	197/11 मिन	0	09	86
झलारी ह०न० 124।	75/8/1 मिन	0	01	52	75/8/1/ मिन	0	01	77
	98/23 मिन	0	05	82	98/23 मिन	0	06	33
	119/21 मिन	0	06	07	119/21 मिन	0	06	33
	120/4/2 मिन	0	06	83	120/4/2 मिन	0	07	59
	124/11 मिन	0	07	08	124/11 मिन	0	07	33
	147/4/2 मिन	0	05	06	147/4/2 मिन	0	05	56
	163/22/1 मिन	0	06	32	163/22/1 मिन	0	06	50
	168/18/1 मिन	0	05	06	168/18/1 मिन	0	05	56
	196/10/1 मिन	0	06	58	196/10/1 मिन	0	06	84
	196/11 मिन	0	07	34	196/11 मिन	0	07	59
	196/20 मिन	0	05	57	196/20 मिन	0	06	83
	198/18 मिन	0	08	34	198/18 मिन	0	08	61
	261 मिन	0	02	78	261/1 मिन	0	02	78
	710 मिन	0	01	26	710/1 मिन	0	01	26
	—	0	00	00	98/11 मिन	0	00	00
	4/16 मिन	0	10	12	5/16 मिन	0	00	12

1	2	3	4	5	6	7	8	9
	75/7/2 मिन	0	00	60	75/7/2 मिन	0	08	35
	75/24 मिन	0	03	06	75/24 मिन	0	04	29
	79/5 मिन	0	09	36	79/5/2 मिन	0	09	36
	80/20 मिन	0	10	11	80/20 मिन	0	09	87
	—	0	00	00	98/18 मिन	0	00	00
	98/22 मिन	0	04	30	98/22 मिन	0	03	79
	120/5 मिन	0	01	26	120/5 मिन	0	01	01
	120/25/1 मिन	0	03	79	120/25/1 मिन	0	03	55
	124/12 मिन	0	03	04	124/12 मिन	0	02	78
	124/19 मिन	0	10	12	124/19 मिन	0	09	86
	142/8 मिन	0	87	59	142/8 मिन	0	07	33
	163/21 मिन	0	03	79	163/21 मिन	0	03	53
	168/18/2 मिन	0	05	86	168/18/2 मिन	0	04	55
	183/6 मिन	0	05	82	183/6 मिन	0	05	56
	196/19 मिन	0	04	55	196/19 मिन	0	03	29
सेवली ह०म० 87	4/1 मिन	0	07	08	4/1/1 मिन	0	02	02
	41/21/1 मिन	0	05	06	41/21/1 मिन	0	05	31
	4/6/2 मिन	0	03	04	5/6/3 मिन	0	04	30
	4/15 मिन	0	09	61	5/15/1 मिन	0	10	12
	4/25 मिन	0	05	06	5/25 मिन	0	04	81
	10/11/2 मिन	0	07	59	10/11/2 मिन	0	08	35
	16/9/1 मिन	0	02	02	16/9/1 मिन	0	02	53
	25/14 मिन	0	07	08	25/14 मिन	0	08	09
	24/7 मिन	0	02	02	24/7 मिन	0	02	28
	31/10 मिन	0	07	08	31/10 मिन	0	08	09
	32/5 मिन	0	08	85	32/5 मिन	0	09	11
	42/12/1 मिन	0	07	34	42/12/1 मिन	0	07	59
	50/3/4 मिन	0	06	07	50/3/4 मिन	0	07	33
	50/8/1 मिन	0	01	01	50/8/1 मिन	0	01	26
	50/24/1 मिन	0	02	53	50/24/1/2 मिन	0	02	53
	50/24/2 मिन	0	01	52	50/24/2 मिन	0	01	77
	62/21/2 मिन	0	05	81	62/21/2 मिन	0	06	32
	70/1 मिन	0	08	09	70/1 मिन	0	09	10
	70/23 मिन	0	05	06	70/23 मिन	0	05	31
	83/13/2 मिन	0	07	08	83/13/2 मिन	0	07	59
	92/4 मिन	0	09	61	92/4 मिन	0	09	86
	92/7/1 मिन	0	01	26	92/7/1 मिन	0	02	03
	92/25 मिन	0	04	05	92/25 मिन	0	04	30
	104/19 मिन	0	09	61	104/19 मिन	0	09	86
	110/2 मिन	0	09	61	110/2/1 मिन	0	08	09
					110/2/2 मिन	0	01	52
	110/8 मिन	0	08	10	110/8/1 मिन	0	08	10
	110/13 मिन	0	10	11	110/13/1 मिन	0	08	60
					110/13/2 मिन	0	01	52
	110/23 मिन	0	04	05	110/23 मिन	0	04	81
	122/4 मिन	0	10	11	122/4 मिन	0	10	12
	122/7 मिन	0	10	11	122/7 मिन	0	10	12
	122/14/1 मिन	0	04	30	122/14/1 मिन	0	04	30
	122/15/1 मिन	0	08	00	122/15/1 मिन	0	00	00
	122/16 मिन	0	09	86	122/16 मिन	0	09	86
	122/17 मिन	0	00	25	122/17 मिन	0	00	25
	122/24 मिन	0	01	52	122/24 मिन	0	02	28
	183 मिन	0	02	02	183/1/1 मिन	0	02	02
	181 मिन	0	03	29	181 मिन	0	03	79

1	2	3	4	5	6	7	8	9
सेवाती हू०न० 87	281 मिन	0	01	26	281/2 मिन	0	01	26
	4/16 मिन	0	10	12	5/16 मिन	0	10	12
	195 मिन	0	02	02	195/1/1 मिन	0	02	02
	2/18 मिन	0	01	77	42/18 मिन	0	01	77
	4/10/1 मिन	0	00	25	—	0	00	00
	10/12 मिन	0	02	53	10/12 मिन	0	01	77
	195 मिन	0	02	02	195/1/1 मिन	0	02	02
	16/8 मिन	0	08	10	16/8 मिन	0	07	59
	16/13 मिन	0	10	12	16/13 मिन	0	10	11
	25/15 मिन	0	03	03	25/15 मिन	0	02	03
	32/6 मिन	0	01	77	32/6 मिन	0	01	26
	42/19 मिन	0	05	06	42/19 मिन	0	04	81
	50/3/3 मिन	0	00	25	50/3/3 मिन	0	00	00
	50/4 मिन	0	01	27	50/4 मिन	0	00	51
	50/7 मिन	0	08	60	50/7 मिन	0	08	34
	50/25 मिन	0	06	07	50/25 मिन	0	05	31
	62/20/1 मिन	0	03	29	62/20/1 मिन	0	03	04
	62/20/2 मिन	0	05	06	62/20/2 मिन	0	04	30
	62/21/1 मिन	0	04	05	62/21/1 मिन	0	03	54
	212 मिन	0	00	25	212 मिन	0	00	00
	70/12 मिन	0	10	12	70/12 मिन	0	09	36
	70/19 मिन	0	10	12	70/19 मिन	0	09	61
	70/22 मिन	0	05	06	70/22 मिन	0	04	81
	149 मिन	0	04	55	149 मिन	0	04	30
	83/14 मिन	0	02	78	83/14 मिन	0	02	87
	92/5 मिन	0	00	51	92/5 मिन	0	00	26
	92/6 मिन	0	08	10	92/6 मिन	0	07	33
	92/16/1 मिन	0	06	07	92/16/1 मिन	0	04	30
	92/16/2 मिन	0	02	02	92/16/2 मिन	0	01	77
	185 मिन	0	02	02	—	0	00	00
	104/20 मिन	0	00	51	104/20 मिन	0	00	25
	110/24 मिन	0	06	07	110/24/1 मिन	0	05	31
जसपत्रु छात्रसा हू०न० 31	19/25 मिन	0	09	61	19/25 मिन	0	09	87
	20/21/2 मिन	0	00	51	20/21/2 मिन	0	00	25
प्रहरका हू०न० 32	31/10/1/1 मिन	0	06	32	31/10/1/1 मिन	0	06	58
	31/12/2 मिन	0	08	85	31/12/2 मिन	0	09	10
	31/23/2 मिन	0	03	29	31/23/2 मिन	0	04	55
	116 मिन	0	01	77	116/1 मिन	0	02	28
	46/7/2 मिन	0	01	77	46/7/2 मिन	0	03	29
	46/14 मिन	0	09	61	46/14 मिन	0	09	87
	49/5 मिन	0	04	55	49/5 मिन	0	06	58
	50/21/1 मिन	0	04	55	50/21/1 मिन	0	05	06
	61/11 मिन	0	07	34	61/11 मिन	0	07	60
	115 मिन	0	01	26	115/1 मिन	0	01	26
	61/2 मिन	0	10	11	66/2 मिन	0	10	11
	61/8 मिन	0	06	07	66/8 मिन	0	06	07
	61/9/1 मिन	0	03	29	66/9/1 मिन	0	03	04
	61/9/2 मिन	0	00	76	66/9/2 मिन	0	00	76
	61/13/1 मिन	0	06	32	66/13/1 मिन	0	06	32
	61/13/2 मिन	0	03	79	66/13/2 मिन	0	03	79
	61/18 मिन	0	10	12	66/18 मिन	0	10	12
	61/23 मिन	0	08	85	66/23 मिन	0	08	85
	61/24 मिन	0	01	26	66/24 मिन	0	01	26

1	2	3	4	5	6	7	8	9
अहरसी ह० न० 32	87/9/2 मिन	0	06	07	87/9/2 मिन	0	06	58
	30/6/1 मिन	0	00	51	30/6/1 मिन	0	00	25
	31/23/1 मिन	0	05	08	31/23/1 मिन	0	03	29
	46/8/2 मिन	0	07	59	46/8/2 मिन	0	06	07
	46/13 मिन	0	00	51	46/18 मिन	0	00	25
	—	0	00	00	46/25 मिन	0	00	00
	49/4 मिन	0	04	81	49/4 मिन	0	02	77
	49/25 मिन	0	01	77	49/25 मिन	0	01	26
	61/12 मिन	0	02	78	61/12 मिन	0	02	54
	75/17/1 मिन	0	04	30	75/17/1 मिन	0	04	05
	75/114 मिन	0	01	52	—	0	00	00
	87/10 मिन	0	03	04	87/10 मिन	0	02	53
ममली पत्रानकी ह० न० 26	5/4 मिन	0	03	04	5/4 मिन	0	03	79
	5/14 मिन	0	08	10	5/14 मिन	0	00	35
	—	0	00	00	6/21 मिन	0	00	51
	9/1/1 मिन	0	07	84	9/1/1 मिन	0	08	09
	9/11 मिन	0	02	02	9/11 मिन	0	02	53
	9/22 मिन	0	03	04	9/22 मिन	0	04	05
	14/7 मिन	0	03	04	14/7 मिन	0	03	79
	14/16 मिन	0	02	53	14/16 मिन	0	02	78
	5/3 मिन	0	04	55	5/3 मिन	0	04	05
	5/15/1 मिन	0	02	02	5/15/1 मिन	0	01	77
	5/25/2 मिन	0	04	30	5/25/2 मिन	0	03	79
	9/1/2 मिन	0	00	76	9/1/2/ मिन	0	00	52
	9/12 मिन	0	08	10	9/12 मिन	0	07	59
	9/23 मिन	0	07	08	9/23 मिन	0	06	07
	14/8 मिन	0	07	08	14/8 मिन	0	06	33
	14/17 मिन	0	07	59	14/17 मिन	0	07	33
	14/25 मिन	0	02	28	14/25 मिन	0	02	03
धरा ह० न० 27	3/11 मिन	0	02	53	3/11 मिन	0	07	33
	3/22 मिन	0	01	77	3/22 मिन	0	05	31
	10/2 मिन	0	10	11	10/2 मिन	0	10	12
	10/8 मिन	0	01	01	10/8 मिन	0	03	54
	10/13 मिन	0	09	61	10/13/2 मिन	0	10	12
	10/17 मिन	0	00	51	10/17 मिन	0	01	77
	10/24 मिन	0	08	85	10/24 मिन	0	10	12
	14/21/2 मिन	0	09	36	14/21/2 मिन	0	09	86
	—	0	00	00	15/5 मिन	0	00	00
	15/6 मिन	0	07	59	15/6 मिन	0	08	09
	15/15 मिन	0	10	11	15/15 मिन	0	10	12
	15/16 मिन	0	02	53	15/16 मिन	0	03	04
	25/1 मिन	0	04	55	25/1/2 मिन	0	04	55
	25/9/1 मिन	0	04	81	25/9/1 मिन	0	05	06
	25/13/1 मिन	0	01	01	25/13/1 मिन	0	01	26
	25/18/1 मिन	0	03	04	25/18/1 मिन	0	03	54
	25/24 मिन	0	02	53	25/24 मिन	0	03	04
	28/20 मिन	0	00	25	28/20 मिन	0	00	25
	28/21 मिन	0	08	35	28/21 मिन	0	08	60
	30/16 मिन	0	06	07	30/16 मिन	0	06	58
	40/1 मिन	0	00	25	40/1 मिन	0	00	51
	40/18/1 मिन	0	04	30	40/18/2 मिन	0	05	56
	68 मिन	0	21	49	68 मिन	0	22	51
	10/1 मिन	0	05	06	—	0	00	00

1	2	3	4	5	6	7	8	9
बड़ा हूनू 27	10/9 मिन	0	09	11	10/9 मिन	0	06	83
	10/12 मिन	0	00	51	—	0	00	00
	10/18 मिन	0	09	61	10/18 मिन	0	08	35
	10/23 मिन	0	01	26	10/23 मिन	0	00	00
	15/7 मिन	0	02	53	15/7 मिन	0	02	03
	25/13/2 मिन	0	03	04	25/13/2 मिन	0	02	78
	89 मिन	0	01	26	89 मिन	0	01	02
	40/19 मिन	0	05	06	40/19 मिन	0	04	55
महेश्वर हूनू 24	6/19 मिन	0	03	79	6/19 मिन	0	04	05
	—	0	00	00	14/2 मिन	0	00	00
	25/2 मिन	0	05	57	25/2 मिन	0	07	33
	25/17/3 मिन	0	00	51	25/17/2/3 मिन	0	01	26
	25/18 मिन	0	00	00	25/18 मिन	0	00	25
	25/24/3 मिन	0	08	85	25/24/3 मिन	0	09	36
	—	0	00	00	25/25 मिन	0	00	25
	27/5 मिन	0	05	06	27/5 मिन	0	08	86
	27/6 मिन	0	05	06	27/6 मिन	0	08	86
	—	0	00	00	27/15 मिन	0	00	25
	—	0	00	00	28/11 मिन	0	00	25
	25/3 मिन	0	04	55	25/3 मिन	0	02	78
	25/17/2/1 मिन	0	03	04	25/17/2/1 मिन	0	01	77
किलोर पुर हूनू 18	25/10 मिन	0	04	05	54/10 मिन	0	04	30
	54/20 मिन	0	08	32	54/20 मिन	0	06	58
	61/11 मिन	0	03	04	61/11 मिन	0	03	54
	61/83 मिन	0	01	77	83 मिन	0	02	02
	54/22 मिन	0	10	12	54/22 मिन	0	10	11
	60/15 मिन	0	04	55	60/15 मिन	0	03	29
रामपुर बांगर हूनू 19	5/5 मिन	0	01	01	5/5 मिन	0	01	26
	9/9 मिन	0	05	06	9/9 मिन	0	05	57
	12/25 मिन	0	06	07	12/25 मिन	0	06	58
	5/4/2 मिन	0	03	04	5/4/2 मिन	0	02	79
	6/21 मिन	0	08	85	8/21 मिन	0	08	84
	9/10 मिन	0	05	06	9/10 मिन	0	04	55
	12/24 मिन	0	04	05	12/24 मिन	0	03	54

[क्रम संख्या 12020/8/80-प्र०]

S.O. 3039.—In the Schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum S.O. No.1381 No. 12020/8/80 (Prod) dated 28th April 1980 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1962 (50 of 1962) published at pages 1416—1423 dated 17th May 1980 of the Gazette of India Part II, Section 3, Sub-section (ii) for Tahsil Palwal, Distt. Faridabad, State of Haryana.

Name of Village	For					Read		
	Khasra No.	H A Sq. Mtrs			Khasra No.	H A Sq. Mtrs		
		1	2	3	4	5	6	7
Bhulwana H.No.94	97/15/2 Min	0	01	52	98/15/2 Min	0	01	52
	97/16 Min	0	00	00	98/16 Min	0	00	00
	97/26 Min	0	03	79	98/26 Min	0	03	79
Hodel H.No. 93	93/9/2 Min	0	10	12	93/9 Min	0	10	12
	124/14 Min	0	02	05	124/14 Min	0	02	53
	124/17 Min	0	09	08	124/17 Min	0	09	86
	127/6 Min	0	07	08	127/6 Min	0	07	33
Hodel H.No. 93	1318 Min	0	01	26	1318 Min	0	01	51
	230/10 Min	0	06	32	230/10 Min	0	06	98
	270/25/2 Min	0	10	12	270/25/2/1 Min	0	08	60
	—	0	00	00	270/25/2/3 Min	0	01	52

1	2	3	4	5	6	7	8	9
	320/7 Min	0	01	01	320/7 Min	0	01	26
	320/14 Min	0	09	36	320/14 Min	0	09	61
	333/19 Min	0	03	54	333/19 Min	0	03	79
	334/6/1 Min	0	02	02	334/6/1 Min	0	02	53
	349/2 Min	0	08	09	349/2 Min	0	08	35
	—	0	00	00	349/9 Min	0	00	25
	349/18/Min	0	02	53	349/18 Min	0	02	78
	357/5 Min	0	03	29	357/5 Min	0	03	54
	375/23/2 Min	0	06	32	375/23/2 Min	0	07	09
	380/14 Min	0	02	28	380/14 Min	0	02	53
	379/21 Min	0	02	02	379/21 Min	0	02	53
	399/10/2 Min	0	01	77	399/10/2 Min	0	02	03
	399/10/3 Min	0	00	51	399/10/3 Min	0	00	76
	402/7 Min	0	05	06	402/7 Min	0	05	31
	402/8 Min	0	05	06	402/8 Min	0	05	31
	402/17 Min	0	08	09	402/17 Min	0	08	35
	419/10 Min	0	08	35	419/10 Min	0	08	86
	420/2/2 Min	0	02	53	420/2/2 Min	0	02	78
	584/Min	0	01	01	584/Min	0	02	02
	127/7 Min	0	03	04	127/7 Min	0	02	78
	157/20 Min	0	05	06	157/20 Min	0	04	81
	202/5 Min	0	10	12	202/5 Min	0	09	86
	202/16/2 Min	0	01	01	202/16/2 Min	0	00	51
	230/9 Min	0	01	52	230/9 Min	0	01	26
	284/15/1 Min	0	00	25	284/15/1 Min	0	00	00
	304/13 Min	0	01	77	304/13 Min	0	01	02
	304/26 Min	0	00	51	304/26 Min	0	00	25
Hodel H.No. 93	320/8 Min	0	08	35	320/8 Min	0	08	10
	320/13 Min	0	00	51	320/13 Min	0	00	25
	334/6/2 Min	0	01	26	334/6/2 Min	0	01	01
	349/3/1 Min	0	02	02	349/3/1 Min	0	01	77
	349/8/2 Min	0	05	56	349/8/2 Min	0	05	31
	349/17 Min	0	07	59	349/17 Min	0	07	34
	357/4 Min	0	06	83	357/4 Min	0	06	58
	375/2 Min	0	07	35	375/2 Min	0	07	33
	375/24/1 Min	0	01	77	375/24/1 Min	0	01	01
	380/6 Min	0	00	25	380/16 Min	—	—	—
	399/9 Min	0	01	77	399/9 Min	0	01	51
	399/12 Min	0	10	12	399/12 Min	0	09	87
	399/23/1 Min	0	04	55	399/23/1 Min	0	04	30
	402/16/3 Min	0	02	02	402/16/3 Min	0	01	77
	402/25/1 Min	0	06	58	402/25/1 Min	0	06	32
	418/5/3 Min	0	06	83	418/5/3 Min	0	06	58
	419/1 Min	0	00	51	419/1 Min	0	00	25
	420/2/1/2/3 Min	0	05	82	420/2/1/2/3 Min	0	05	56
	380/27 Min	0	00	25	380/27 Min	0	00	00
Sondhad H.No. 89	74/11 Min	0	02	78	74/11 Min	0	03	05
	103/23 Min	0	08	60	103/23 Min	0	08	85
	105/25/1 Min	0	01	52	105/25/1 Min	0	01	75
	134/5/2 Min	0	08	10	134/5/2 Min	0	08	35
	134/16/1 Min	0	05	06	134/16/1 Min	0	05	82
	136/10 Min	0	09	36	136/10/1 Min	0	09	62
	136/11 Min	0	01	52	136/11 Min	0	01	77
	136/22/1 Min	0	06	83	136/22/1 Min	0	07	09
	136/22/2 Min	0	03	29	136/22/2 Min	0	03	05
	164/23/1 Min	0	01	01	164/23/1/1 Min	0	01	01
	167/17/1 Min	0	01	26	167/17/1 Min	0	01	52
	197/10 Min	0	02	53	197/10 Min	0	02	78
	46/25 Min	0	07	59	46/25 Min	0	08	09
	470 Min	0	00	25	1170 Min	0	00	25
	46/25 Min	0	02	53	46/24 Min	0	02	01

1	2	3	4	5	6	7	8	9
Sondhad H.No. 89	74/10 Min	0	02	78	74/10 Min	0	02	53
	103/19 Min	0	01	77	103/19 Min	0	01	52
	105/24 Min	0	08	60	105/24 Min	0	08	35
	134/5/1 Min	0	01	52	134/5/1 Min	0	01	26
	134/4 Min	0	00	51	134/4 Min	0	00	25
	135/20 Min	0	05	06	135/20 Min	0	04	30
	136/9 Min	0	00	76	136/9 Min	0	00	51
	136/12 Min	0	08	60	136/12 Min	0	08	35
	197/11 Min	0	10	12	197/11 Min	0	09	86
Banchari H.No.124	75/8/1 Min	0	01	52	75/8/1 Min	0	01	77
	98/23 Min	0	05	82	98/23 Min	0	06	33
	119/21 Min	0	06	07	119/21 Min	0	06	33
	120/4/2 Min	0	06	83	120/4/2 Min	0	07	59
	124/11 Min	0	07	08	124/11 Min	0	07	33
	147/4/2 Min	0	05	06	147/4/2 Min	0	05	56
	163/22/1 Min	0	06	32	163/22/1 Min	0	06	50
	168/18/1 Min	0	05	06	168/18/1 Min	0	05	56
	196/10/1 Min	0	06	58	196/10/1 Min	0	06	84
	196/11 Min	0	07	34	196/11 Min	0	07	59
	196/20 Min	0	05	57	196/20 Min	0	06	83
	198/18 Min	0	08	34	198/18 Min	0	08	61
	261 Min	0	02	78	261/1 Min	0	02	78
	710 Min	0	01	26	710/1 Min	0	01	26
	—	0	00	00	98/11 Min	0	00	00
	4/16 Min	0	10	12	5/16 Min	0	10	12
	75/7/2 Min	0	08	60	75/7/2 Min	0	08	35
	75/24 Min	0	05	06	75/24 Min	0	04	29
	79/5 Min	0	09	36	79/5/2 Min	0	09	36
	80/20 Min	0	10	11	80/20 Min	0	09	87
	—	0	00	00	98/18 Min	0	00	00
	98/22 Min	0	04	30	98/22 Min	0	03	79
	120/5 Min	0	01	26	120/5 Min	0	01	01
	120/25/1 Min	0	03	79	120/25/1 Min	0	03	55
	124/12 Min	0	03	04	124/12 Min	0	02	78
	124/19 Min	0	10	12	124/19 Min	0	09	86
	142/8 Min	0	07	59	142/8 Min	0	07	33
	163/21 Min	0	03	79	163/21 Min	0	03	53
	168/18/2 Min	0	05	06	168/18/2 Min	0	04	55
	183/6 Min	0	05	82	183/6 Min	0	05	56
	196/19 Min	0	04	55	196/19 Min	0	03	29
Seoli H.No. 87	4/1 Min	0	07	08	4/1/1 Min	0	02	02
	41/21/1 Min	0	05	06	41/21/1 Min	0	05	31
	4/6/2 Min	0	03	04	5/6/3 Min	0	04	30
	4/15 Min	0	09	61	5/15/1 Min	0	10	12
	4/25 Min	0	05	06	5/25 Min	0	04	81
	10/11/2 Min	0	07	59	10/11/2 Min	0	08	35
	16/9/1 Min	0	02	02	16/9/1 Min	0	02	53
	25/14 Min	0	07	08	25/14 Min	0	08	09
	247 Min	0	02	02	247 Min	0	02	28
	31/10 Min	0	07	08	31/10 Min	0	08	09
	32/5 Min	0	08	85	32/5 Min	0	09	11
	42/12/1 Min	0	07	34	42/12/1 Min	0	07	59
	50/3/4 Min	0	06	07	50/3/4 Min	0	07	33
	50/8/1 Min	0	01	01	50/8/1 Min	0	01	26
	50/24/1 Min	0	02	53	50/24/1/2 Min	0	02	53
	50/24/2 Min	0	01	52	50/24/2 Min	0	01	53
	62/21/2 Min	0	05	81	62/21/2 Min	0	06	32
	70/1 Min	0	08	09	70/1 Min	0	09	10
	70/23 Min	0	05	06	70/23 Min	0	05	31
	83/13/2 Min	0	07	08	83/13/2 Min	0	07	59
	92/4 Min	0	09	61	92/4 Min	0	09	86
	92/7/1 Min	0	01	26	92/7/1 Min	0	02	03
	92/25 Min	0	04	05	92/25 Min	0	04	30
	104/19 Min	0	09	61	104/19 Min	0	09	86

1	2	3	4	5	6	7	8	9
Seoli H.No. 87	110/2 Min	0	09	61	110/2/1 Min 110/2/2 Min	0	08	09
					0	01	52	
	110/8 Min	0	08	10	110/8/1 Min	0	08	10
	110/13 Min	0	10	11	110/13/1 Min 110/13/2 Min	0	08	60
					0	01	52	
	110/23 Min	0	04	05	110/23 Min	0	04	81
	122/4 Min	0	10	11	122/4 Min	0	10	12
	122/7 Min	0	10	11	122/7 Min	0	10	12
	122/14/1 Min	0	04	30	122/14/1 Min	0	04	30
	122/15/1 Min	0	00	00	122/15/1 Min	0	00	00
	122/16 Min	0	09	86	122/16 Min	0	09	86
	122/17 Min	0	00	25	122/17 Min	0	00	25
	122/24 Min	0	01	52	122/24 Min	0	02	28
	183 Min	0	02	02	183/1/1 Min	0	02	02
	181 Min	0	03	29	181 Min	0	03	79
	281 Min	0	01	26	281/2 Min	0	01	26
	4/16 Min	0	10	12	5/16 Min	0	10	12
	195 Min	0	02	02	195/1/1 Min	0	02	02
	2/18 Min	0	01	77	42/18 Min	0	01	77
	4/10/1 Min	0	00	25	—	0	00	00
	10/12 Min	0	02	53	10/12 Min	0	01	77
	195 Min	0	02	02	195/1/1 Min	0	02	02
	16/8 Min	0	08	10	16/8 Min	0	07	59
	16/13 Min	0	10	12	16/13 Min	0	10	11
	25/15 Min	0	03	03	25/15 Min	0	02	03
	32/6 Min	0	01	77	32/6 Min	0	01	26
	42/19 Min	0	05	06	42/19 Min	0	04	81
	50/3/3 Min	0	00	25	50/3/3 Min	0	00	00
	50/4 Min	0	01	27	50/4 Min	0	00	51
	50/7 Min	0	08	60	50/7 Min	0	08	34
	50/25 Min	0	06	07	50/25 Min	0	05	31
	60/20/1 Min	0	03	29	62/20/1 Min	0	03	04
	62/20/2 Min	0	05	06	62/20/2 Min	0	04	30
	62/21/1 Min	0	04	05	62/21/1 Min	0	03	54
	212 Min	0	00	25	212 Min	0	00	00
	70/12 Min	0	10	12	70/12 Min	0	09	36
	70/19 Min	0	10	12	70/19 Min	0	09	61
	70/22 Min	0	05	06	70/22 Min	0	04	81
	149 Min	0	04	55	149 Min	0	04	30
	83/14 Min	0	02	78	83/14 Min	0	02	87
	92/5 Min	0	00	51	92/5 Min	0	00	26
	92/6 Min	0	08	10	92/6 Min	0	07	33
	92/16/1 Min	0	06	07	92/16/1 Min	0	04	30
	92/16/2 Min	0	02	02	92/16/2 Min	0	01	77
	185 Min	0	02	02	—	0	00	00
	104/20 Min	0	00	51	104/20 Min	0	00	25
	110/24 Min	0	06	07	110/24/1 Min	0	05	31
Jalalpur Khalsa H.No.31	19/25 Min	0	09	61	19/25 Min	0	09	87
	20/21/2 Min	0	00	51	20/21/2 Min	0	00	25
Ahrwan H. No. 32	31/10/1/1 Min	0	06	32	31/10/1/1 Min	0	06	58
	31/12/2 Min	0	08	85	31/12/2 Min	0	09	10
	31/23/2 Min	0	03	29	31/23/2 Min	0	04	55
	116 Min	0	01	77	116/1 Min	0	02	28
	46/7/2 Min	0	01	77	46/7/2 Min	0	03	29
	46/14 Min	0	09	61	46/14 Min	0	09	87
	49/5 Min	0	04	55	49/5 Min	0	06	58
	50/21/1 Min	0	04	55	50/21/1 Min	0	05	06
	61/11 Min	0	07	34	61/11 Min	0	07	60
	115 Min	0	01	26	115/1 Min	0	01	26
	61/2 Min	0	10	11	66/2 Min	0	10	11
	61/8 Min	0	06	07	66/8 Min	0	06	07
	61/9/1 Min	0	03	29	66/9/1 Min	0	03	04
	61/9/2 Min	0	00	76	66/9/2 Min	0	00	76
	61/13/1 Min	0	06	32	66/13/1 Min	0	06	32
	61/13/2 Min	0	03	79	66/13/2 Min	0	03	79

1	2	3	4	5	6	7	8	9
Ahriwan H.No. 32-(Contd.)	61/18 Min	0	10	12	66/18 Min	0	10	12
	61/23 Min	0	08	85	66/23 Min	0	08	85
	61/24 Min	0	01	26	66/24 Min	0	01	26
	87/9/2 Min	0	06	07	87/9/2 Min	0	06	58
	30/6/1 Min	0	00	51	30/6/1 Min	0	00	25
	31/23/1 Min	0	05	06	31/23/1 Min	0	03	29
	46/8/2 Min	0	07	59	46/8/2 Min	0	06	07
	46/13 Min	0	00	51	46/13 Min	0	00	25
	—	0	00	00	46/25 Min	0	00	00
	49/4 Min	0	04	81	49/4 Min	0	02	77
	49/25 Min	0	01	77	49/25 Min	0	01	26
	61/12 Min	0	02	78	61/12 Min	0	02	54
	75/17/1 Min	0	04	30	75/17/1 Min	0	04	05
	75/114 Min	0	01	52	—	0	00	00
	87/10 Min	0	03	04	87/10 Min	0	02	53
Nagli Pachanki H.No. 26	5/4 Min	0	03	04	5/4 Min	0	03	79
	5/14 Min	0	08	10	5/14 Min	0	08	35
	—	0	00	00	6/21 Min	0	00	51
	9/1/1 Min	0	07	84	9/1/1 Min	0	08	09
	9/11 Min	0	02	02	9/11 Min	0	02	53
	9/22 Min	0	03	04	9/22 Min	0	04	05
	14/7 Min	0	03	04	14/7 Min	0	03	79
	14/16 Min	0	02	53	14/16 Min	0	02	78
	5/3 Min	0	04	55	5/3 Min	0	04	05
	5/15/1 Min	0	02	02	5/15/1 Min	0	01	77
	5/25/2 Min	0	04	30	5/25/2 Min	0	03	79
	9/1/2 Min	0	00	76	9/1/2 Min	0	00	52
	9/12 Min	0	08	10	9/12 Min	0	07	59
	9/23 Min	0	07	08	9/23 Min	0	06	07
	14/8 Min	0	07	08	14/8 Min	0	06	33
	14/17 Min	0	07	59	14/17 Min	0	07	33
	14/25 Min	0	02	28	14/25 Min	0	02	03
Badha H.No.27	3/11 Min	0	02	53	3/11 Min	0	07	33
	3/22 Min	0	01	77	3/22 Min	0	05	31
	10/2 Min	0	10	11	10/2 Min	0	10	12
	10/8 Min	0	01	01	10/8 Min	0	03	54
	10/13 Min	0	09	61	10/13/2 Min	0	10	12
	10/17 Min	0	00	51	10/17 Min	0	01	77
	10/24 Min	0	08	85	10/24 Min	0	10	12
	14/21/2 Min	0	09	36	14/21/2 Min	0	09	86
	—	0	00	00	15/5 Min	0	00	00
	15/6 Min	0	07	59	15/6 Min	0	08	09
	15/15 Min	0	10	11	15/15 Min	0	10	12
	15/16 Min	0	02	53	15/16 Min	0	03	04
	25/1 Min	0	04	55	25/1/2 Min	0	04	55
	25/9/1 Min	0	04	71	25/9/1 Min	0	05	06
	25/13/1 Min	0	01	01	25/13/1 Min	0	01	26
	25/18/1 Min	0	03	04	25/18/1 Min	0	03	54
	25/24 Min	0	02	53	25/24 Min	0	03	04
	28/20 Min	0	00	25	29/20 Min	0	00	25
	28/21 Min	0	08	35	29/21 Min	0	08	60
	30/16 Min	0	06	07	30/16 Min	0	06	58
	40/1 Min	0	00	25	40/1 Min	0	00	51
	40/18/1 Min	0	04	30	40/18/2 Min	0	05	56
	68 Min	0	21	49	68 Min	0	22	51
	10/1 Min	0	05	06	—	0	00	00
	10/9 Min	0	09	11	10/9 Min	0	06	83
	10/12 Min	0	00	51	—	0	00	00
	10/18 Min	0	09	61	10/18 Min	0	08	35
	10/23 Min	0	01	26	10/23 Min	0	00	00
	15/7 Min	0	02	53	15/7 Min	0	02	03
	25/13/2 Min	0	03	04	25/13/2 Min	0	02	78
	89 Min	0	01	26	89 Min	0	01	02
	40/19 Min	0	05	06	40/19 Min	0	04	55

1	2	3	4	5	6	7	8	9
Maheshpur H.No. 24	6/19 Min	0	03	79	6/19 Min	0	04	05
	—	0	00	00	14/2 Min	0	00	00
	25/2 Min	0	05	57	25/2 Min	0	07	33
	25/17/3 Min	0	00	51	25/17/2/2 Min	0	01	26
	25/18 Min	0	00	00	25/18 Min	0	00	25
	25/24/3 Min	0	08	85	25/24/3 Min	0	09	36
	—	0	00	00	25/25 Min	0	00	25
	27/5 Min	0	05	06	27/5 Min	0	08	86
	27/6 Min	0	05	06	27/6 Min	0	08	86
	—	0	00	00	27/15 Min	0	00	25
	—	0	00	00	28/11 Min	0	00	25
	25/3 Min	0	04	55	25/3 Min	0	02	78
	25/17/2/1 Min	0	03	04	25/17/2/1 Min	0	01	77
Kishore pur H.No. 18	25/10 Min	0	04	05	54/10 Min	0	04	30
	54/20 Min	0	06	32	54/20 Min	0	06	58
	61/11 Min	0	03	04	61/11 Min	0	03	54
	61/83 Min.	0	01	77	83 Min	0	02	02
	54/22 Min	0	10	12	54/22 Min	0	10	11
	60/15 Min	0	04	55	60/15 Min	0	03	29
Rajupur Bangar H.No.19	5/5 Min	0	01	01	5/5 Min	0	01	26
	9/9 Min	0	05	06	9/9 Min	0	05	57
	12/25 Min	0	06	07	12/25 Min	0	06	58
	5/4/2 Min	0	03	04	5/4/2 Min	0	02	79
	6/21 Min	0	08	85	6/21 Min	0	08	84
	9/10 Min	0	05	06	9/10 Min	0	04	55
	12/24 Min	0	04	05	12/24 Min	0	03	54

[No. 12020/8/80-Prod]

नई दिल्ली, 8 अक्टूबर, 1980

का० आ० 3040.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि के उपयोग के प्रधिकार का अधिन) प्रधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 1435 नंरीख 29-4-80 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों के उपयोग के प्रधिकार को वाह्य लाईंगों को विभाने के प्रयोजन के लिए अधिन करने का अपना आण्य घोषित कर दिया था।

और यतः सक्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के प्रकार, इस अधिसूचना से संलग्न अनुसूची में विनिविष्ट भूमियों में उपयोग का प्रधिकार अधिन करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार (नरेण देती है) कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विभिन्न होने के बजाय नेल और प्राकृतिक गैस आयोग में, सभी वाधाओं में मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

और आगे उम धारा का० उपधारा (4) द्वारा प्रवत्त गैसियों का प्रयोग करते हुए केन्द्रीय सरकार (नरेण देती है) कि उक्त भूमियों में उपयोग का प्रधिकार केन्द्रीय सरकार में विभिन्न होने के बजाय नेल और प्राकृतिक गैस आयोग में, सभी वाधाओं में मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

प्रत्यक्ष

कूप नं० सं० बं० ए० (55) मे० का० 10 24 न० 16 पाइप लाइन विभाने के लिए।

राज्यः गुजरात	जिलाः ग्रेटा	तानुका० खानात	
गांव	सर्वे न०	हकदेव	एआरई मेन्टेनेंस
मोकड़ा	172	00	03 90
	13/2	00	03 37
	175/2	00	12 48
	187	00	04 93
	13/1	00	03 00

[का० 12016/20/80-प्र०]

New Delhi, the 8th October, 1980

S.O. 3040.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 1435 dated 29-4-80 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Aquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines:

And further in exercise of power conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from well No. CBS(55) to well No. 24

State : Gujarat	District : Kaira	Taluka : Cambay	
Village	Survey No.	Hectare Area Centi- tare	
Sokhda	172	00 03 90	
	13/2	00 03 37	
	175/2	00 12 48	
	187	00 04 93	
	13/1	00 03 00	

[No. 12016/20/80-Prod.]

मई दिल्ली, 10 अक्टूबर, 1980

का० आ० 3041.—यैति केन्द्रीय मरकार को जह प्रतीत होता है कि लोक इति में यह आवश्यक है कि गुजरात राज्य में कूप नं० कोसमा जी० जी० एम० से जंक्शन पोइंट तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आपोग हारा विलाई जानी चाहिए।

प्रौढ़ यह पतीत होता है कि ऐसी लाईनों को विद्युत के प्रयोग के लिये प्राकृतिक गैस से भूमि में उपयोग का अधिकार अद्वितीय करना आवश्यक है।

ग्रन्थ अब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपभारा (1) द्वारा प्रदत्त अस्तियों का प्रयोग करते हुए केन्द्रीय मरकार ने उसमें उपयोग का अधिकार अद्वितीय करने का अपना आशय निर्दृष्टा घोषित किया है।

वर्णन के अनुसार भूमि में हितबढ़ कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन विद्युत के लिये प्राकृतिक गैस का अधिकारी, नेतृत्व तथा प्राकृतिक गैस आपोग, नियमि और देवभाल प्रभाग, मरुभूमि रोड, वडोदरा-१ को इस अधिसूचना की वार्ता से 21 दिनों के भीतर कर सकता।

प्रौढ़ ऐसा अधिकार करने वाला हर आक्त विनिविल्टमः यह भी करने के लिये कि क्या वह यह चाहता है कि उसकी मुनवाई अस्तियां हों या किसी विशेष अवसार्य की मापत्ति।

अनुचूड़ी

कोम्बा जी० जी० एम० से जंक्शन पोइंट तक पाइप लाइन विद्युत के लिए।

राज्य : गुजरात	ज़िला : भरुच	तालुका : हासोट		
नाम	टॉफ़ नं०	लेफ्टेनर एमार्ट सेन्टर		
1	2	3	4	5
भरुच	430	0 03 25		
	431	0 11 96		
	432	0 01 95		
	433/८	0 12 61		
	468	0 21 58		
	467	0 04 42		
	466/८	0 03 25		
	499	0 02 19		
	464	0 02 10		
	460	0 07 41		
	455	0 01 50		
	454	0 00 45		
	456	0 07 54		
	457	0 03 90		
	419	0 06 56		
	418	0 04 80		
	411/A	0 18 07		
	413	0 05 98		
	207	0 21 58		
	208	0 11 31		
	210	0 12 74		
	226	0 16 25		
	225	0 19 50		
	465	0 01 50		

1	2	3	4	5
	454	0 00 45		
	456	0 07 54		
	457	0 03 90		
	419	0 06 56		
	418	0 04 80		
	411/८	0 18 07		
	413	0 05 98		
	207	0 21 58		
	208	0 11 31		
	210	0 12 74		
	226	0 16 25		
	225	0 19 50		

[सं० 12016/47/80-प्र०-१]

New Delhi, the 10th October, 1980

S.O. 3041.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from KOSAMBA GGS to Junction Point in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from Kosamba GGS to Junction point

State : Gujarat	District : Bharuch	Taluka : Hansot	
Village	Block No.	Hec- tare	Area Centi- tare
Kharach	430	0 03 25	
	431	0 11 96	
	432	0 01 95	
	438/A	0 12 61	
	468	0 21 58	
	467	0 04 42	
	466/A	0 03 25	
	499	0 02 19	
	464	0 02 10	
	460	0 07 41	
	455	0 01 50	
	454	0 00 45	
	456	0 07 54	
	457	0 03 90	
	419	0 06 56	
	418	0 04 80	
	411/A	0 18 07	
	413	0 05 98	
	207	0 21 58	
	208	0 11 31	
	210	0 12 74	
	226	0 16 25	
	225	0 19 50	

[No. 12016/47/80-Prod. I]

का० आ० 3042.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकसभा में यह आवश्यक है कि गुजरात राज्य में कूप नं० ५० कोसम्बा जी० जी० एस० से जंक्शन पोइंट तक पेट्रोलियम के परिवहन के लिये पाइप लाइन लेल तथा प्राकृतिक गैस आगोग हारा बिल्डर्ड जानी चाहिए।

और यह यह प्रतीत होता है कि ऐसी लाईंसों को बिल्डर्ड के प्रयोगन के लिये पातदावद अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

ग्रातं प्रबल पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) को धारा 3 की उपधारा (1) हारा प्रदल शास्त्रियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय प्रतदावा घोषित किया है।

बास्तें कि उक्त भूमि में हितष्ट कोई अस्तित्व, उस भूमि के नीचे पाइप लाइन बिल्डर्ड के लिए आजेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस आगोग, निर्माण और वेखामाल प्रामाण, मकरपुरा रोड, बदोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आजेप करने वाला हर व्यक्ति विनिश्चित: यह भी कथन करेगा कि क्या वह यह आहता है कि उसको सुनवाई व्यक्तिगत हो या ऐसी विधि व्यवसायी की मार्फत।

अनुसूची

कोसम्बा जी० जी० एस० से जंक्शन पोइंट तक पाइप लाइन बिल्डर्ड के लिए।

राज्य: गुजरात	जिला: सूरत	तालुका: मांगरोल	
गांव	सर्वे नं०	हेक्टेयर	एमार्टर्स सेन्टीयर
कुवरडा	805	0	02
	804	0	07
	803	0	18
	802	0	00
कार्ट्रैक	0	01	17
808	0	00	25
809	0	14	69
811	0	02	73
810	0	02	08
798/P	0	21	45

[सं० 12016/47/80-प्र० II]

[No. 12016/47/80-Prod.II]

शुद्धि पत्र

नई दिल्ली, 13 अक्टूबर, 1980

का० आ० 3043.—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) के अंतर्गत भारत सरकार पेट्रोलियम, रसायन और उर्वरक मकालय (पेट्रोलियम यिमान) द्वारा जारी अधिसूचना का०आ० सं० 1170 संघ्या 12020/6/80 प्र०० विनाक 8-4-80 के संलग्न अनुसूची में भारत के राजपत्र के भाग II खंड 3 उपखंड (ii) दिनांक 26-4-80 में प्रकाशित तहसील गूह, जिला गुजरात राज्य हस्तियाणा के लिये:

के स्थान पर	ग्राम	जसरा नं०	पक्षे					
			शेषफल			जसरा नं०		
			हेक्टेयर	ऐयर	वर्ग मी०	हेक्टर	ऐयर	वर्ग मी०
1	2	3	4	5	6	7	8	9
ग्राम: सरहोली	तहसील: गूह	जिला: गुजरात				ग्राम: सरहोली	तहसील: गूहीन	जिला: फरीदाबाद
सरहोली	3/368	0	08	09	348	0	08	09
ह० न० 188	10/25	0	05	57	10/25	0	05	82
	18/51	0	01	26	52	0	01	26
	18/355	0	01	01	355	0	01	01
	18/1/1	0	09	11	18/1/1	0	08	61
	19/3	0	02	28	19/3	0	03	29
	19/8	0	00	76	—	—	—	—
	19/50	0	04	55	50	0	04	58
	3/6	0	00	51	4/6	0	00	51

[अम संघ्या 12020/6/80-प्र००]

S.O. 3042.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from KOSAMBA GGS to Junction Point in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from Kosamba GGS to Junction point

State : Gujarat	District : Surat	Taluka : Mangrol		
Village	Survey No.	Hectare	Area	Centi- are
Kuvarda	805	0	02	34
	804	0	07	02
	803	0	18	27
	802	0	00	52
Cart track	0	01	17	
808	0	00	25	
809	0	14	69	
811	0	02	73	
810	0	02	08	
798/P	0	21	45	

[No. 12016/47/80-Prod.II]

CORRIGENDUM

New Delhi, the 13th October, 1980

S.O. 3043.—In the Schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers, Department of Petroleum S.O. No. 1170 No.12020/6/80 (Prod) dated 8th April 1980 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user Land) Act, 1962 (50 of 1962) published at page 1212-1214 dated 26th April 1980 of the Gazette of India Part II Section 3 Sub-section (ii) for Tahsil Nuh, Distt. Gurgaon State of Haryana.

Name of Village	Khasra No.	For			Read			
		H	A	Sq. Mtrs.	Khasra No.	H	A	Sq. Mtrs.
1	2	3	4	5	6	7	8	9
Saroli H. No. 188	3/368	0	08	09 348		0	08	09
	10/25	0	05	57 10/25		0	05	82
	18/51	0	01	26 52		0	01	26
	18/355	0	01	01 355		0	01	01
	18/1/1	0	09	11 18/1/1		0	08	61
	19/3	0	02	28 19/3		0	03	29
	19/8	0	00	76 —		—	—	—
	19/50	0	04	55 50		0	04	55
	3/6	0	00	51 4/6		0	00	51

[No. 12020/6/80-Prod.]

का० 3044.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह प्रावधानक है कि गृजरात राज्य में क्षप नं० जे० १८० सी० से जे० १८० प्रार० तक पेट्रोलियम के परिवहन के लिये पार्श्व जाइन तथा प्राकृतिक गैस आयोग द्वारा बिडाई जानी चाहिए।

और यह: यह प्रतीत होता है कि तीसी लाइनों की विभाने के प्रयोग के लिये पत्तपाबद्ध अन्यस्था में विभिन्न भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यह पेट्रोलियम और नायज पाइप नाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 का उपधारा (1) द्वारा प्रदत्त शर्कियों का प्रयोग करते हुए फैर्ड्य सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना प्रायाय एक्टुल्या घोषित किया है।

धर्माने कि उक्त भूमि में हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप सक्षम अधिकारी, तोग तथा प्राकृतिक गैस आयोग, गिमण और देखभाल प्रभाग, मकरुरु रोड, बदेवरा-१ की इस अधिसूचना की तारीख से 21 दिनों के भूसर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिविष्ट यह भ. कथन करेगा कि क्या वह यह चाहता है कि उसके सुनवाई व्यक्तिगत हो या किसी विधि व्यवसारी की मार्फत।

अनुसूची

जे० १८० सी० से जे० १८० प्रार० तक पाइप लाइन विभाने के लिए।

राज्य : गुजरात	जिला : मेहसाणा	नामका : कडी
गाँव	सर्वों में०	हेक्टेयर प्राप्तार्थी सेवीयर
मेरडा	158	0 21 60

[No. 12016/51/१०-१०० I]

S.O. 3044.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from JHC to JLR in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from JHC to JLR
State : Gujarat District : Mehsana Taluka : Kadi

Village	Survey No.	Hec- tares	Are	Cen- tiare
Merda	158	0	21	60

[No. 12016/51/१०-१०० I]

का० ३०४५.—यह केन्द्रीय सरकार को मह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० जे०ए०सी० से जे०ए०प्रा० तक पेट्रोलियम के परिवहन के लिये पाईप लाइन सेल तथा प्राकृतिक गैस आपेक्षा द्वारा बिछाई जानी चाहिए।

और यह यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा ग्रन्तिसूची में विभिन्न भूमि में उपयोग का अधिकार प्राप्ति करना आवश्यक है।

प्रत. अब पेट्रोलियम और लैनिक पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 30) की धारा 3 की उपधारा (1) द्वारा प्रदत्त वासियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्राप्ति करने का अपना आशय एनव्हारा घोषित किया है।

बास्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाइन बिछाने के लिए आपेक्ष सक्षम व्यक्तिगती, तेल तथा प्राकृतिक गैस आपेक्ष, निर्माण और देवधान प्रभाग, मकरुरा गोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भोतर कर सकेगा।

और ऐसा आपेक्ष करने वाला हर व्यक्ति विनियिष्ट: यह भी कथन करेगा कि क्या वह यह आहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

ग्रन्तिसूची

जे०ए०सी० से जे०ए०प्रा० तक पाईप लाइन बिछाने के लिए
राज्य: गुजरात जिला: मेहसाणा तालुका: कड़ी

गाँव	सर्वेक्षण नं०	लैनिक ए ग्राम ई सेटीयर	लैनि	सेटीयर
लौर	267/1	0	05	25
	267/1	0	19	50
	191/1	0	10	65
	191/2	0	04	50
	191/3	0	13	65
	190	0	07	80
	187	0	05	10
	189	0	11	25
	188	0	11	25

[सं० 12016/51/80-प्र० II]

S.O. 3045.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from JHC to JLR in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State : Gujarat	District : Mehsana	Taluka . Kadi	Village	Survey No.	Hectare	Acre	Centi- tare
			Lor	267/1	0	05	25
				267/1	0	19	50
				191/1	0	10	65
				191/2	0	04	50
				191/3	0	13	65
				190	0	07	80
				187	0	05	10
				189	0	11	25
				188	0	11	25

[No. 12016/51/80-Prod. II]

नई दिल्ली, 14 अक्टूबर, 1980

का० ३०४६.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० दक्षिण मंथाल से उत्तर कहा जे०जी०ए०प्र० 1 तक पेट्रोलियम के परिवहन के लिये पाईप लाइन सेल तथा प्राकृतिक गैस आपेक्ष क्षाग बिछाई जाने चाहिए।

और यह यह प्रतीत होता है कि ऐसा लाइनों को बिछाने के प्रयोजन के लिये एतद्वारा ग्रन्तिसूची में विभिन्न भूमि में उपयोग का अधिकार प्राप्ति करना आवश्यक है।

प्रत. अब पेट्रोलियम और लैनिक पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 30) का धारा 3 की उपधारा (1) द्वारा प्रदत्त वासियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार प्राप्ति करने का अपना आशय एनव्हारा घोषित किया है।

बास्ते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाईप लाइन बिछाने के लिए आपेक्ष सक्षम व्यक्तिगती, तेल तथा प्राकृतिक गैस आपेक्ष, निर्माण और देवधान प्रभाग, मकरुरा गोड, वडोदरा-9 की इस अधिसूचना की तारीख से 21 दिनों के भोतर कर सकेगा।

और ऐसा आपेक्ष करने वाला हर व्यक्ति विनियिष्ट: यह भी कथन करेगा कि क्या वह यह आहता है कि उसकी सुनवाई डाक्टेल द्वारा हो या कि किसी विधि व्यवसायी की मार्फत।

ग्रन्तिसूची

दक्षिण मंथाल से उत्तर कहा जे०जी०ए०प्र० 1 तक पाईप लाइन बिछाने के लिए

राज्य गुजरात	जिला मेहसाणा	तालुका . महसाणा	गाँव	ब्लाक नं०	लैनिक ए ग्राम ई सेटीयर
			मुटाना	1126	0
				1125	0
				1124	0
				काट्टूद्रुक	0
				1123	0
				1088	0
				1089	0
				1085	0
				1083	0
				1082	0
				1081	0
				1080	0
				1071	0

कार्य	ब्लॉक नं०	हेक्टेयर एक्टर्ड सेटीयर	1	2	3	4	5
	1072	0 06 90		1059	0 00 40		
	1073	0 05 25		Cart track	0 01 05		
	1057	0 05 25		1023	0 20 23		
	1056	0 07 50		1021	0 09 75		
	1054	0 11 45		1018	0 04 35		
	1059	0 00 40		980/A	0 16 20		
कार्ट ट्रैक	0 01 05			Cart track	0 03 60		
	1023	0 20 23		980/B	0 17 25		
	1021	0 09 75		Cart track	0 01 65		
	1018	0 04 35					
	980/A	0 16 20					
कार्ट ट्रैक	0 03 60						
	980/B	0 17 25					
	Cart track	0 01 65					

[No. 12016/49/80-Prod. I]

कार्य नं० 3047—यह केन्द्रीय सरकार को यह प्रतीक होता है कि लोकहिन में यह आवश्यक है कि युजरात राज्य में कूप नं० विभिन्न संघात से उत्तर कड़ी जी०जी०एस०-१ तक पेट्रोलियम के परिवहन के लिये पाईप लाइन तेल तथा प्राकृतिक गैस उपयोग द्वारा विधाई जानी चाहिए।

और यह यह प्रतीक होता है कि ऐसी लाइनों को बिछाने के प्रत्रोजन के लिये एटेल्पावड अनुसूची में अप्रिय भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

यह प्रत्रोजन और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, १९६२ (१९६२ का ५०) की शरा० ३ की उपधारा (१) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा अधिष्ठित किया है।

बिंदते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नोबे पाइप लाइन बिछाने के लिए अप्रोप्र मात्रम अधिकारी, तेल तथा प्राकृतिक गैस उपयोग, निर्माण और वेक्षणाल प्रभाग, मकरुरा रोड, वडोदरा-१ को इस अधिसूचना की तारीख से २१ दिनों के भीतर कर सकेगा।

और ऐसा आक्षय करने वाला हर व्यक्ति विनिविष्टतः यह भी कथन करेगा कि क्या वह वह चाहता है कि उसकी सुनवाई व्यक्तिगत तौर पर किसी विधि व्यवसायी की माफ़ल।

अनुसूची

विभिन्न संघात में उत्तर कड़ी जी०जी०एस०-१ तक पाइप लाइन बिछाने के लिए।

राज्य गुजरात	जिला: मेहसाना	तालुका: मेहसाना
ग्राम	ब्लॉक नं०	हेक्टेयर एक्टर्ड सेटीयर
जोताना	617	0 10 65
	619	0 1 00
	624	0 25 25
कार्ट ट्रैक	621	0 9 15
	623	0 49 80
	622	0 15 60
	577	0 0 10
	578	0 16 20
	571	0 11 95
	570	0 15 90
कार्ट ट्रैक	645	0 0 45
	645	0 11 70
कार्ट ट्रैक	646	0 1 65
	646	0 4 35
	647	0 12 75
	652	0 11 40
	651	0 15 45
	655	0 55 50
	656	0 24 60

[सं० 12016/49/80-प्र० II]

New Delhi, the 14th October, 1980

S.O. 3046.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from South Santhal to North Kadi GGS I in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of Use in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from South Santhal to North Kadi GGS I

State : Gujarat	District : Mehsana	Taluka : Mehsana
Village	Block No.	Hec- tares Are Centi- ares
Jotana	1126	0 04 35
	1125	0 08 40
	1124	0 04 80
	Cart track	0 00 60
	1123	0 07 80
	1088	0 07 50
	1089	0 05 55
	1085	0 04 65
	1083	0 06 85
	1082	0 10 50
	1081	0 03 30
	1080	0 04 20
	1071	0 08 85
	1072	0 06 90
	1073	0 05 25
	1057	0 05 25
	1056	0 07 50
	1054	0 11 45

S.O. 3047.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from South Santhal to N. Kadi GCS I in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from South Santhal to N. Kadi GGS I

State : Gujarat Taluka : Mehsana District Mehsana

Village	Block No.	Hec-tare	Are Cen-tiare
Ijpura	617	0 10	65
	619	0 11	00
	624	0 25	25
	Cart Track	0 11	80
	621	0 9	15
	623	0 49	80
	622	0 15	60
	577	0 0	10
	578	0 16	20
	571	0 11	95
	570	0 13	90
	Cart track	0 0	45
	645	0 11	70
	Cart track	0 1	65
	646	0 4	35
	647	0 12	75
	652	0 11	40
	651	0 15	45
	655	0 55	50
	656	0 24	60

[No. 12016/49/80-Prod.II]

S.O. 3048.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं. ० वक्षिण कड़ी जी०जी०ए०स० से जी०आई०ड०मी० कड़ी तक पेट्रोलियम के परिवहन के लिये पाइप लाईन सेल सथा प्राकृतिक गैस आयोग द्वारा विद्युत जारी चाहिए।

और यह प्रतीत होता है कि ऐसी लाईनों को विभाने के लिये एकपानद अनुसूची में विभिन्न भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

प्रत: भव पेट्रोलियम और जूनिज पाइप लाईन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की द्वारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना अधिकार अधिसूचित किया है।

बास्ते कि उक्त भूमि में शितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाईन विभाने के लिए आक्षेप मकाम अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-९ को इस अधिसूचना की नारीज से 21 विनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

वक्षिण कड़ी जी०जी०ए०स० से जी०आई०ड०मी० कड़ी तक पाइप लाईन विभाने के लिए।

राज्य : गुजरात	जिला : मेहसाना	तालुका : कड़ी
गांव	सर्वे नं.	हेक्टेयर ए एकार ई सेटीयर
कड़ी	1954	0 02 55
		0 02 25
	1854	0 03 15
	1853	0 00 60

[सं. 12016/50/80-ग्रा०]

S.O. 3048.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from South Kadi GCS to GIDC Kadi in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipline from South Kadi GGS to GIDC Kadi

State : Gujarat District : Mehsana Taluk : Kadi

Village	Survey No.	Hec-tare	Are Cen-tiare
Kadi	1954	0 02	55
	Cart track	0 02	25
	1854	0 03	15
	1853	0 00	60

[No. 12016/50/80-Prod.]

शुद्धि पत्र

नई विली, 15 अक्टूबर, 1980

का० आ० 3049—पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के व्याधिकार का प्रबंधन) अधिनियम 1962 (1962 का 50) के अंतर्गत भारत सरकार पेट्रोलियम रसायन और उत्कर्ष मंशालय (पेट्रोलियम विभाग) द्वारा जारी अधिसूचना का० आ० मं० 1247 संख्या 12020/7/80-प्र० दिल्ली के संलग्न अनुसूची से भारत के राजपत्र के भाग II, बंड 3 उपलब्ध II दिनांक 3-5-80 से प्रकाशित तक्सीन दृष्टोन जिला फरीदाबाद राज्य हरियाणा के लिये—

वे स्थान पर	खसरा न०	क्षेत्रफल	पक्षे			खसरा न०	क्षेत्रफल		
			पक्षे						
			लेक्टर	ऐयर	वर्गीयी०				
1	2	3	4	5	6	7	8	9	
गहलव	11/4 मिन	0	10	11	110/4 मिन	0	10	11	
ह० न० 233	11/6 मिन	0	00	25	110/6 मिन	0	00	25	
	11/7 मिन	0	09	86	110/7 मिन	0	09	86	
	11/11 मिन	0	02	53	110/11 मिन	0	02	53	
	11/15 मिन	0	07	59	110/15 मिन	0	07	59	
	11/16 मिन	0	10	11	110/16 मिन	0	10	11	
	11/25 मिन	0	10	11	110/25 मिन	0	10	11	
मंगूसी-पलवल	22/17 मिन	10	10	11	22/17 मिन	0	10	11	
ह० न० 228	37/1/2 मिन	0	09	11	37/12 मिन	0	09	11	
	51/10 मिन	07	07	84	51/10 मिन	0	07	84	
	525 मिन	0	09	61	525 मिन	0	09	61	
	6 मिन	0	02	28	52/6 मिन	0	02	28	
मडकोला	502 मिन	0	10	12	50/2 मिन	0	10	12	
ह० न० 217									

[संख्या 12020/7/80-प्र०]

ERRATA

New Delhi, the 15th October, 1980

S.O. 3049.—In the Schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) S.O.No.1247 No. 12020/7/80 (Prod) dated 17-4-1980 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in Land) Act, 1952 (50 of 1962) published at pages 1300-1303 dated 3rd May, 1980 of the Gazette of India Part II Section 3 Sub-section (ii) for Tehsil Hathin Distt. Faridabad, State of Haryana.

Name of Village	Khasra No.	For			Read			
		H	A	Sq. Mtrs	Khasra No.	H	A	Sq. Mtrs
Manpur H.No.238	3/12/12 Min	0	00	00	—	—	—	—
	3/12/12 Min	0	00	51	3/12/2 Min	0	00	51
	19/25 Min	0	05	06	10/25 Min	0	05	06
	35/8 Min	0	10	12	33/8 Min	0	10	12
	61/11 Min	0	00	51	61/1 Min	0	00	51
	86/13/1 Min	0	01	26	86/3/1 Min	0	01	26
Kondal H.No.239	14/314 Min	0	01	01	314 Min	0	01	01
	15/9 Min	0	10	11	32/9 Min	0	10	11
Gehlab H.No.233	7/4 Min	0	10	12	9/4 Min	0	10	12
	16/20 Min	0	00	76	17/20 Min	0	00	76
	17/17/1 Min	0	00	51	27/17/1 Min	0	00	51
	83/10 Min	0	00	76	87/10 Min	0	00	76
Bajada Pahari H.No.232	33/62 Min	0	02	02	62 Min	0	02	02
Kalsada H.No.229	55/20 Min	0	00	25	53/25 Min	0	00	25
	74/7 Min	0	10	12	72/7/1 Min	0	10	12
Bhanguri Palwal H.No. 228	51/354 Min	0	01	26	354 Min	0	01	26
Mandaula H.No. 217	50/9/1 Min	0	60	07	50/9/1 Min	0	06	07
	57/15/1 Min	0	04	05	59/15/1 Min	0	04	05
	179/1750 Min	0	01	01	1750 Min	0	01	01

[No.12020/7/80 Prod.]

का० आ० 3050 —पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपर्योग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) के अंतर्गत भारत सरकार, पेट्रोलियम, रसायन और उर्वरक मंत्रालय (पेट्रोलियम विभाग) हारा जारी अधिसूचना का० आ० म० 124/ संपा 12020/7/80-प्र० दिनांक 17-4-80 के सम्बन्ध अनुदृश्यी में भारत के राजपत्र के भाग II, छठ 3 उपखंड II दिनांक 3-5-80 में प्रकाशित नवमील हार्योन जिला फरीदाबाद राज्य बुरियाणा के लिये

के स्थान पर

पढ़े

प्राप्त	खसरा न०	खोलफल			खसरा न०	खोलफल		
		लेक्टर	ऐयर	वर्ग मी०		लेक्टर	ऐयर	वर्ग मी०
1	2	3	4	5	6	7	8	9
मानकुर	3/22/2 मिन	0	04	30	3/22/2 मिन	0	04	55
ह० न० 238	3/246 मिन	0	04	55	246 मिन	0	04	30
	7/2/3 मिन	0	09	11	7/2/3 मिन	0	10	12
	7/9 मिन	0	03	04	7/9 मिन	0	04	81
	7/23 मिन	0	09	87	7/23 मिन	0	10	11
	10/3 मिन	0	03	29	10/3 मिन	0	04	05
	10/24 मिन	0	03	04	10/24 मिन	0	03	54
	18/1 मिन	0	10	11	18/1 मिन	0	10	12
	18/12 मिन	0	07	84	18/12 मिन	0	09	12
	18/22 मिन	0	09	61	18/22 मिन	0	09	86
	33/2 मिन	0	01	77	33/2 मिन	0	03	29
	33/18/1 मिन	0	02	02	33/18/1 मिन	0	02	27
	37/15/1 मिन	0	01	01	37/15/1 मिन	0	01	26
	37/15/2 मिन	0	05	57	37/15/2 मिन	0	05	82
	37/16 मिन	0	10	11	37/16 मिन	0	10	12
	61/10 मिन	0	08	10	61/10 मिन	0	08	35
	62/12/1 मिन	4	02	78	64/12/1 मिन	0	03	29
	64/19 मिन	0	01	52	64/19 मिन	0	01	77
	86/7 मिन	0	02	28	86/7/2 मिन	0	02	53
	36/14 मिन	0	09	36	86/14 मिन	0	09	86
	89/25 मिन	0	01	77	89/25 मिन	0	02	28
	7/8 मिन	0	05	06	7/8 मिन	0	03	04
	7/13 मिन	0	10	12	7/13 मिन	0	09	86
	10/4 मिन	0	06	83	10/4 मिन	0	06	32
	1386 मिन	0	02	78	1386 मिन	0	02	53
	16/15 मिन	0	10	12	16/15 मिन	0	09	86
	17/20 मिन	0	06	83	17/20 मिन	0	06	58
	18/11/1 मिन	0	02	02	18/11/1 मिन	0	01	01
	18/23 मिन	0	00	51	18/23 मिन	0	00	25
	33/3 मिन	0	08	35	33/3 मिन	0	06	83
	33/27 मिन	0	04	55	33/27 मिन	0	04	05
	33/24/1 मिन	0	06	07	33/24/1 मिन	0	05	82
	33/24/2 मिन	0	01	52	33/24/2 मिन	0	01	26
	32/4 मिन	0	10	15	37/4 मिन	0	10	12
	32/14 मिन	0	03	54	37/14 मिन	0	03	04
	60/5 मिन	0	08	85	60/5 मिन	0	08	60
	64/12/2 मिन	0	05	32	64/12/2 मिन	0	08	07
	64/13 मिन	0	01	01	64/13 मिन	0	00	76
	64/18 मिन	0	08	60	64/18 मिन	0	08	35
	86/8/1 मिन	0	07	84	86/8/1 मिन	0	07	58
	86/13 मिन	0	00	76	86/13 मिन	0	00	25
	7/24 मिन	0	00	25	7/24 मिन	0	00	00
	60/6 मिन	0	01	01	60/6 मिन	0	00	76

1	2	3	4	5	6	7	8	9
कोहल	14/21 मिन	0	02	78	14/21 मिन	0	04	05
इ० न० 279	15/5/2 मिन	0	07	08	15/5/2 मिन	0	07	33
	32/12/2 मिन	0	08	85	32/12/2 मिन	0	09	11
	32/13 मिन	0	01	26	32/13 मिन	0	01	01
	32/18 मिन	0	09	11	32/18 मिन	0	08	60
	32/19 मिन	0	01	01	32/19 मिन	0	01	52
	37/7 मिन	0	05	06	37/7 मिन	0	05	31
	24/2 मिन	0	02	02	37/24/2 मिन	0	02	28
	58/6 मिन	0	07	08	58/6 मिन	0	07	59
	58/25 मिन	0	07	08	58/25 मिन	0	07	59
	369 मिन	0	01	01	369 मिन	0	01	26
	14/1 मिन	0	02	02	14/1 मिन	0	01	77
	14/10 मिन	0	09	87	14/10 मिन	0	09	61
	14/22/1 मिन	0	06	07	14/22/1 मिन	0	04	81
	37/24/1 मिन	0	08	10	37/24/1 मिन	0	07	84
	58/7 मिन	0	00	51	58/7 मिन	0	00	25
	372 मिन	0	02	28	372 मिन	0	02	03
	59/21 मिन	0	03	04	59/21 मिन	0	02	53
	63/5 मिन	0	00	76	63/5 मिन	0	00	51
	37/8 मिन	0	00	00	37/8 मिन	0	00	00
	महलब इ० न० 233					गहलब इ० न० 233		
महलब	16/5/1 मिन	0	04	05	16/5/1 मिन	0	04	30
इ० न० 233	27/7/1 मिन	0	00	76	27/7/1 मिन	0	01	01
	27/13 मिन	0	01	26	27/13 मिन	0	01	51
	31/21 मिन	0	08	10	31/21 मिन	0	03	33
	32/4/2 मिन	0	04	55	32/4/2 मिन	0	05	06
	1001 मिन	0	00	51	1001 मिन	0	00	76
मूलब	42/11 मिन	0	07	59	42/11 मिन	0	03	11
इ० न० 233	980 मिन	0	01	26	980 मिन	0	01	52
	64/17/2 मिन	0	02	78	64/17/2 मिन	0	03	03
	87/9/3 मिन	0	03	29	87/9/3 मिन	0	05	04
	17/1 मिन	0	03	79	17/1 मिन	0	03	54
	18/18 मिन	0	08	35	18/18 मिन	0	03	09
	27/14/1 मिन	0	00	76	27/14/1 मि	0	00	51
	27/14/2 मिन	0	08	85	27/14/2 मिन	0	04	51
	27/17/4 मिन	0	05	57	27/17/4 मिन	0	05	31
	27/24/2 मिन	0	08	10	27/24/2 मिन	0	07	54
	32/5 मिन	0	05	06	32/5 मिन	0	04	51
	31/27 मिन	0	00	25	31/27 मिन	0	01	01
	42/1 मिन	0	09	61	42/1 मिन	0	09	36
	42/12 मिन	0	02	53	42/12 मिन	0	02	03
	53/24/1 मिन	0	01	26	53/24/1 मिन	0	01	01
	64/16 मिन	0	04	58	64/16 मिन	0	04	31
बजादा पहाड़ी	21/20 मिन	0	09	36	21/20/1 मिन	0	07	59
इ० न० 232	--	0	00	00	21/20/2 मिन	0	01	77
कलसाडा	32/21/1 मिन	0	05	06	32/21/1 मिन	0	05	56
इ० न० 229	32/21/2 मिन	0	01	01	32/21/2 मिन	0	01	53
	42/12 मिन	0	09	36	42/12 मिन	0	10	12
	42/19 मिन	0	02	53	42/19 मिन	0	03	05
	45/8 मिन	0	09	11	45/8 मिन	0	09	61
	54/4 मिन	0	06	07	54/4 मिन	0	06	53
	65/9 मिन	0	05	06	65/9 मिन	0	05	58
	65/13/1 मिन	0	01	26	65/13/1 मिन	0	01	77

1	2	3	4	5	6	7	8	9
कलाश	65/23 मिन	0	08	85	65/23 मिन	0	09	10
ह० न० 228	65/24 मिन	0	01	26	65/24/1 मिन	0	01	01
	72/4 मिन	0	08	85	72/4/1 मिन	0	06	32
	72/17 मिन	0	06	32	72/17 मिन	0	06	83
	82/2/1 मिन	0	01	01	82/2/1 मि	0	01	27
	82/9 मिन	0	08	85	82/9 मिन	0	09	10
	72/3 मिन	0	01	26	72/3/1 मिन	0	01	26
	72/7 मिन	0	10	12	72/7/1 मिन	0	10	12
	32/22/2 मिन	0	01	77	32/22/2 मिन	0	01	52
	42/13 मिन	0	00	25	42/13 मिन	0	00	00
	42/18 मिन	0	07	59	42/18 मिन	0	07	33
	61/1 मिन	0	00	51	61/1 मिन	0	00	25
	45/13/2 मिन	0	02	02	45/13/2 मिन	0	01	77
	45/14 मिन	0	08	35	45/14 मिन	0	06	32
	54/5/1 मिन	0	04	05	54/5/1 मिन	0	03	54
	60/11 मिन	0	03	29	60/11 मिन	0	03	04
	65/8 मिन	0	05	06	65/8 मिन	0	04	56
	65/13/2 मिन	0	08	85	65/13/2 मिन	0	08	35
	109 मिन	0	03	29	109 मिन	0	03	04
	82/1 मिन	0	08	35	82/1 मिन	0	08	09
	82/10 मिन	0	01	26	82/10 मिन	0	01	01
	104 मिन	0	04	05	104 मिन	0	03	04
	72/3	0	01	26	72/3/1 मिन	0	01	26
मंगुरी धरवल	9/22 मिन	0	09	36	9/22/1 मिन	0	02	02
ह० न० 22	--	--	--	--	9/22/2 मिन	0	07	34
	342 मिन	0	01	52	342 मिन	0	01	77
	42/2/2 मिन	0	03	54	42/2/2 मिन	0	03	79
	49/14 मिन	0	06	07	49/14 मिन	0	06	33
	49/16/2 मिन	0	06	83	49/16/2/2 मिन	0	06	83
	--	--	--	--	49/17 मिन	0	00	00
	42/3/1 मिन	0	05	82	42/3/1 मिन	0	05	56
	49/4/2 मिन	0	03	54	49/4/2 मिन	0	03	30
	49/15 मिन	0	04	05	49/15 मिन	0	03	79
हंडकोला	--	--	--	--	50/8 मिन	0	00	00
ह० न० 217	50/12 मिन	0	02	28	50/12 मिन	0	02	56
	50/18 मिन	0	07	36	50/18 मिन	0	09	36
	--	--	--	--	59/1 मिन	0	00	00
	91/2 मिन	0	03	79	91/2 मिन	0	04	05
	--	--	--	--	135/11 मिन	0	00	00
	141/14 मिन	0	10	11	141/14 मिन	0	10	12
	141/17/1 मिन	0	02	02	141/17/1 मिन	0	03	04
	141/25 मिन	0	10	11	141/25 मिन	0	10	12
	178/5 मिन	0	04	30	178/5 मिन	0	04	55
	179/12 मिन	0	03	04	179/12 मिन	0	03	29
	2322 मिन	0	05	57	23/22 मिन	0	05	31
	59/6 मिन	0	07	59	59/6 मिन	0	07	84
	91/1/2 मिन	0	05	57	91/1/2 मिन	0	05	31
	141/3/5 मिन	0	03	29	141/3/5 मिन	0	02	78
	141/16 मिन	0	08	10	141/16 मिन	0	07	33
	179/11 मिन	0	06	07	179/11 मिन	0	05	82
	179/19 मिन	0	06	32	179/19 मिन	0	06	07
	9/1 मिन	0	03	07	50/9/1 मिन	0	06	07
	58/4 मिन	0	10	11	59/4 मिन	0	10	11

S.O. 3050.—In the Schedule appended to the notification of the Government of India, Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) S.O. No. 1247 No. 12020/7/80 (Prod) dated 17-4-1980 issued under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of use in Land) Act, 1962 (50 of 1962) published at pages 1300—1303 dated 3rd May 1980 of the Gazette of India Part I Section 3 Sub-section (ii) for Tehsil Hathin Distt. Faridabad State of Haryana.

Name of Village	Khasra No.	For			Read			
		H	A	Mtrs.	Khasra No.	H	A	Sq. Mtrs.
1	2	3	4	5	6	7	8	9
Manpur H.No 238	3/22/2 Min	0	04	30	3/22/2 Min	0	04	55
	3/246 Min	0	04	55	246 Min	0	04	30
	7/2/3 Min	0	09	11	7/2/3 Min	0	10	12
	7/9 Min	0	03	04	7/9 Min	0	04	81
	7/23 Min	0	09	87	7/23 Min	0	10	11
	10/3 Min	0	03	29	10/3 Min	0	04	05
	10/24 Min	0	03	04	10/24 Min	0	03	54
	18/1 Min	0	10	11	18/1 Min	0	10	12
	18/12 Min	0	07	84	18/12 Min	0	09	12
	18/22 Min	0	09	61	18/22 Min	0	09	86
Manpur H. No. 238	33/2 Min	0	01	77	33/2 Min	0	03	29
	33/18/1 Min	0	02	02	33/18/1 Min	0	02	27
	37/15/1 Min	0	01	01	37/15/1 Min	0	01	26
	37/15/2 Min	0	05	57	37/15/2 Min	0	05	82
	37/16 Min	0	10	11	37/16 Min	0	10	12
	61/10 Min	0	08	10	61/10 Min	0	08	35
	62/12/1 Min	0	02	78	64/12/1 Min	0	03	29
	64/19 Min	0	01	52	64/19 Min	0	01	77
	86/7 Min	0	02	28	86/7/2 Min	0	02	53
	86/14 Min	0	09	36	86/14 Min	0	09	86
	89/25 Min	0	01	77	89/25 Min	0	02	28
	7/8 Min	0	05	06	7/8 Min	0	03	04
	7/13 Min	0	10	12	7/13 Min	0	07	86
	10/4 Min	0	06	83	10/4 Min	0	06	32
	1386/Min	0	02	78	1386 Min	0	02	53
	16/15 Min	0	10	12	16/15 Min	0	09	86
	17/20 Min	0	06	83	17/20 Min	0	06	58
	18/11/1 Min	0	03	02	18/11/1 Min	0	01	01
	18/23 Min	0	00	51	18/23 Min	0	00	25
	33/3 Min	0	08	35	33/3 Min	0	06	83
	33/27 Min	0	04	55	33/27 Min	0	04	05
	33/24/1 Min	0	06	07	33/24/1 Min	0	05	82
	33/24/2 Min	0	01	52	33/24/2 Min	0	01	26
	37/4 Min	0	10	15	37/4 Min	0	10	12
	37/14 Min	0	03	54	37/14 Min	0	03	04
	60/5 Min	0	08	85	60/5 Min	0	08	60
	64/12/2 Min	0	06	32	64/12/2 Min	0	06	07
	64/13 Min	0	01	01	64/13 Min	0	00	76
	64/18 Min	0	08	60	64/18 Min	0	08	35
	86/8/1 Min	0	07	84	86/8/1 Min	0	07	58
Manpur H. No. 238	86/13 Min	0	00	76	86/13 Min	0	00	25
	7/24 Min	0	00	25	7/24 Min	0	00	00
	60/6 Min	0	01	01	60/6 Min	0	00	76
Kondel H. No. 239	14/21 Min	0	02	78	14/21 Min	0	04	05
	15/5/2 Min	0	07	08	15/5/2 Min	0	07	33
	32/12/2 Min	0	08	85	32/12/2 Min	0	09	11
	32/13 Min	0	01	26	32/13 Min	0	01	01
	32/18 Min	0	09	11	32/18 Min	0	08	60
	32/19 Min	0	01	01	32/19 Min	0	01	52
	37/7 Min	0	05	06	37/7 Min	0	05	31
	24/2 Min	0	02	02	47/24/2 Min	0	02	28
	58/6 Min	0	07	08	58/6 Min	0	07	59
	58/25 Min	0	07	08	58/25 Min	0	07	59
	369 Min	0	01	01	369 Min	0	01	26

1	2	3	4	5	6	7	8	9
Kondal H. No. 239 (Contd.)	14/1 Min	0	02	02	14/1 Min	0	01	77
	14/10 Min	0	09	87	14/10 Min	0	09	61
	14/22/1 Min	0	06	07	14/22/1 Min	0	04	81
	37/24/1 Min	0	08	10	37/24/1 Min	0	07	84
	58/7 Min	0	00	51	58/7 Min	0	00	25
	372 Min	0	02	28	372 Min	0	02	03
	59/21 Min	0	03	04	59/21 Min	0	02	53
	63/5 Min	0	00	76	63/5 Min	0	00	51
		0	00	00	37/8 Min	0	00	00
Gahlab H. No. 233	16/5/1 Min	0	04	05	16/5/1 Min	0	04	30
	27/7/1 Min	0	00	76	27/7/1 Min	0	01	01
	27/13 Min	0	01	26	27/13 Min	0	01	51
	31/2 Min	0	08	10	31/2/1 Min	0	08	35
	32/4/2 Min	0	04	55	32/4/2 Min	0	05	06
	1001 Min	0	00	51	1001 Min	0	00	76
	42/11 Min	0	07	59	42/11 Min	0	08	11
	980 Min	0	01	26	980 Min	0	01	52
	64/17/2 Min	0	02	78	64/17/2 Min	0	03	03
	87/9/3 Min	0	03	29	87/9/3 Min	0	05	04
	17/1 Min	0	03	79	17/1 Min	0	03	54
	18/18 Min	0	08	35	18/18 Min	0	08	09
	27/14/1 Min	0	00	76	27/14/1 Min	0	00	51
	27/14/2 Min	0	08	85	27/14/2 Min	0	08	61
	27/17/2 Min	0	05	57	27/17/4 Min	0	05	31
	27/24/2 Min	0	08	10	27/24/2 Min	0	07	84
	32/5 Min	0	05	06	32/5 Min	0	04	81
	31/27 Min	0	00	25	31/27 Min	0	00	00
	42/1 Min	0	09	61	42/1 Min	0	09	36
	42/12 Min	0	02	53	42/12 Min	0	02	02
	53/24/1 Min	0	01	26	53/24/1 Min	0	01	01
	64/16 Min	0	04	55	64/16 Min	0	04	31
Bajada Pahari H. No. 232	21/20 Min	0	09	36	21/20/1 Min	0	07	59
	Min	0	00	00	21/20/2 Min	0	01	77
Kalsada No. 229	32/21/1 Min	0	05	06	32/21/1 Min	0	05	56
	32/21/2 Min	0	01	01	32/21/2 Min	0	01	26
	42/12 Min	0	09	36	42/12 Min	0	10	12
	42/19 Min	0	02	53	42/19 Min	0	03	05
	45/8 Min	0	09	11	45/8 Min	0	09	61
	54/4 Min	0	06	07	54/4 Min	0	06	58
	65/9 Min	0	05	06	65/9 Min	0	05	56
	65/13/1 Min	0	01	26	65/13/1 Min	0	01	77
	65/23 Min	0	08	85	65/23 Min	0	09	10
	65/24 Min	0	01	26	65/24/1 Min	0	01	01
	72/4 Min	0	08	85	72/4/1 Min	0	06	32
	72/17 Min	0	06	32	72/17 Min	0	06	83
	82/2/1 Min	0	01	01	82/2/1 Min	0	01	27
	82/9 Min	0	08	85	82/9 Min	0	09	10
	72/3 Min	0	01	26	72/3/1 Min	0	01	26
	72/7 Min	0	10	12	72/7/1 Min	0	10	12
	32/22/2 Min	0	01	77	32/22/2 Min	0	01	52
	42/13 Min	0	00	25	42/13 Min	0	00	00
	42/18 Min	0	07	59	42/18 Min	0	07	33
	611 Min	0	00	51	611 Min	0	00	25
	45/13/2 Min	0	02	02	45/13/2 Min	0	01	77
	45/14 Min	0	08	35	45/14 Min	0	06	32
	54/5/1 Min	0	04	05	54/5/1 Min	0	03	54
	60/11 Min	0	03	29	60/11 Min	0	03	04
	65/8 Min	0	05	06	65/8 Min	0	04	56
	65/13/2 Min	0	08	85	65/13/2 Min	0	08	35
	109 Min	0	03	29	109 Min	0	03	04
	82/1 Min	0	08	35	82/1 Min	0	08	09
	82/10 Min	0	01	26	82/10 Min	0	01	01
	104 Min	0	04	05	104 Min	0	03	04
	72/3 Min	0	01	26	72/3/1 Min	0	01	26

1	2	3	4	5	6	7	8	9
Mhanguri Palwal H. No. 228	9/22 Min	0	09	36	9/22/1 Min	0	02	02
	. Min	.	.	.	9/22/2 Min	0	07	34
	342 Min	0	01	52	342 Min	0	01	77
	42/2/2 Min	0	03	54	42/2/2 Min	0	03	79
	49/14 Min	0	06	07	49/14 Min	0	06	33
	47/16/2 Min	0	06	83	49/16/2/2 Min	0	06	83
	. Min	..	..	..	49/17 Min	0	00	00
	42/3/1 Min	0	05	82	42/3/1 Min	0	05	56
	49/4/2 Min	0	03	54	49/4/2 Min	0	03	30
	49/15 Min	0	04	05	49/15 Min	0	03	79
Mandaula H. No. 217	. Min	..	..	..	50/8 Min	0	00	00
	50/12 Min	0	02	28	50/12 Min	0	02	53
	50/18 Min	0	07	36	50/18 Min	0	09	36
	. Min	..	..	..	59/5 Min	0	00	00
	91/2 Min	0	03	79	91/2 Min	0	04	05
	. Min	..	..	..	135/11 Min	0	00	00
	141/14 Min	0	10	11	141/14 Min	0	10	12
	141/17/1 Min	0	02	02	141/17/1 Min	0	03	04
	141/25 Min	0	10	11	141/25 Min	0	10	12
	178/5 Min	0	04	30	178/5 Min	0	04	55
	179/1/2 Min	0	03	04	179/12 Min	0	03	29
	2322 Min	0	05	57	23/22 Min	0	05	31
	59/6 Min	0	07	69	59/6 Min	0	07	84
	91/1 2 Min	0	05	57	91/1/2 Min	0	05	31
	141/3/5 Min	0	03	29	141/3/5 Min	0	02	78
	141/16 Min	0	08	10	141/16 Min	0	07	33
	179/11 Min	0	06	07	179/11 Min	0	05	82
	179/19 Min	0	06	32	179/19 Min	0	06	07
	9/1 Min	0	03	07	50/9/1 Min	0	06	07
	58/4 Min	0	10	11	59/4 Min	0	10	11

[No. 12020/7/80-Prod.]

का० आ० ३०५१—प्रत: पेट्रोलियम और खनिज पाषण भाइन (भूमि के उपयोग के अधिकार का अर्जन) प्रविनियम १९६२ (१९६२ का ५०) की धारा ३ की उपधारा (१) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उच्चरक मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० १३२४ तारीख २३-४-८० द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिदिष्ट भूमियों के उपयोग के अधिकार को पाषण भाइनों को विलाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यह सत्तम प्राधिकारी ने उन अधिनियम की धारा 6 का उपधारा (1) के अधीन मरकार को रिपोर्ट दे दी है।

और आगे, यह केंद्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संबंध अनुसूची में विनिष्टिक्षम भूमियों में उपयोग का अधिकार आजित करने का विनिष्टव्य किया है।

अब, अन: उक्त प्रधिनियम की धारा 6 की उपधारा (i) द्वारा प्रवस्त गति का प्रयोग करते हुए केन्द्रीय सरकार एतत्पुढ़ारा घोषित करती है कि इस प्रधिमता में संस्कृत भानुसूची में विसिद्धित उक्त भूमियों में उपयोग का प्रधिकार पाइप लाइन बिछाने के प्रयोगन के लिए एतत्पुढ़ारा घोषित किया जाता है।

और आगे उम धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेण देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय भरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त हैं, योषणा के प्रकाशन की इस नारीख को निहित होगा।

મનુષ્યાંકના વિરાસત નું પાછળ લાયન કિંદાને કેન્દ્રાં					
રાજ્ય: ગુજરાત	જિલ્લા: મેહસાના	તહસીલ: કડી			
ગાંબ	મર્વે નંંં	હેક્ટેર	એકર	સેટીયર	સેટીયર
નાની કડી	189/1	0	14	25	
	189	0	25	35	
	190/8	0	11	25	
	190/6	0	06	75	
	190/7	0	09	00	
	190/5	0	04	50	
	190/4	0	08	55	
	190/3	0	11	05	
	190/2	0	02	40	
	190/9	0	09	40	
	190/10	0	08	00	
	190/11	0	01	00	
	કાર્ટ ટ્રૈક	0	01	00	
	182	0	23	70	
	181	0	12	00	
	કાર્ટ ટ્રૈક	0	01	50	
	178/8	0	01	00	

[सं० १२०१६/१७/८०-प्र०-१]

S.O. 3051.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 1324 dated 23-4-80 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines ;

And further in exercise of power conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from VRD to GGS Viraj

State: Gujarat	District-Mehsana Taluka : Kadi			
Village	Survey No.	Hec-tare	Arc	Centi-tiare
Nani Kadi	189	0	25	35
	190/2	0	11	25
	190/6	0	06	75
	190/7	0	09	00
	190/5	0	04	50
	190/4	0	08	55
	190/3	0	11	05
	190/2	0	02	40
	190/9	0	09	40
	190/10	0	08	00
	190/11	0	01	00
		0	01	00
	122	0	23	70
	Cart track			
	181	0	12	00
		0	01	50
	178/8	0	01	00
	Cart track			

[No. 12016/17/80-Prod. I]

का० आ० 3052—यतः पेट्रोलियम और खनिंग पाइपलाइन (भूमि के उपयोग के अधिकार का आवृत्ति) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम रसायन और अर्वरक संकाय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 1325 तारीख 23-4-80 धारा केन्द्रीय सरकार ने उस अधिसूचना से संकेत अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइन नाहिनी को विलाने के लिए अधिनियम करने का अपना आशय घोषित कर दिया था।

और यतः महाम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और यतः यन् केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संकेत अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अधिनियम करने का विनिष्पत्य किया है।

यथा: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शर्तों का प्रयोग करने हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन विलाने के प्रयोगित के लिए एतद्वारा अंजित किया जाता है।

और यारे उम धारा की उपधारा (4) द्वारा प्रदत्त शर्तों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विलित होने के बजाय तेव और प्राकृतिक गैस आयोग में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

वी०आर०व०० मे० जी०आ००८० विराज तक पाइप लाइन विलाने के लिए।

राज्य : गुजरात	जिला : मेहसाना	तालुका : कड़ी	
गाव	सर्वोन्नं०	हेटेयर ए आर ई	सेंटीयर
नानी कड़ी	219	0	04 05
	176/1	0	25 65
	176/1ए	0	07 65
	170/2	0	19 95
	178/3	0	03 45
	179	0	11 25
कार्ट ट्रैक	0	01	95

[सं० 12016/17/80-प्र०-II]

S.O. 3052.—Whereas by a notification of the Government of India in the Ministry of Petroleum, S.O. No. 1325 dated 23-4-80 under Sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government

And further whereas the Central Government has, after considering the said report, decided to acquire the right of user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the power conferred by Sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipelines ;

And further in exercise of power conferred by Sub-section (4) of that Section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil & Natural Gas Commission free from encumbrances.

SCHEDULE

Pipeline from VRB to GGS Viraj

State: Gujarat	District- Mehsana Taluka : Kadi			
Village	Survey No.	Hec-tare	Arc	Centi-tiare
Nani Kadi	219	0	04	05
	176/1	0	25	65
	176/1A	0	07	65
	178/2	0	19	95
	178/3	0	03	45
	179	0	11	25
Cart track	0	01	95	

[No. 12016/17/80-Prod. II]

का० आ० 3053.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० ५६ से के-७८ तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

ओर यह, यह प्रतीत होता है कि ऐसी लाइनों को बिलाने के प्रयोजन के लिये एस्ट्रॉबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यद्य पेट्रोलियम और अमिन पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा ३ की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एस्ट्रॉबद्ध घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए आमेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-९ को इस अधिसूचना की तारीख से २१ दिनों के भीतर कर सकेगा।

ओर ऐसा आमेप करने वाला हर व्यक्ति विनिविष्ट, यह भी कथन करेगा कि क्या वह यह चाहता है कि उसको मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

के-६८ से के-७८ तक पाइप लाइन बिलाने के लिए।

राज्य: गुजरात	जिला: महासाना	तालुका: कलोल	गांव	ब्लॉक नं०	क्षेत्रफल	ए. आर. ई. सेटीपर
महासाना			761	0	०५	५५
			762	0	१५	००
			काट ट्रैक	०	००	५०
			८५०	०	२३	६५
			८४१	०	१०	०५
			काट ट्रैक	०	००	७५
			८७४	०	०८	४०
			८७३	०	०६	१५
			८७२	०	०६	४५
			८७१	०	०६	१५
			८६९	०	०३	००

[सं० १२०१६/५५/८०-प्र०]

S.O.3053.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from K-68 to K-78 in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein:

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline From K- 68 to K- 78

State: Gujarat	District: Mehsana	Taluka : Kalol	Village	Block No.	Hec- tare	Are	Cen- tiare
Dhamasana			761		०	०५	५५
			762		०	१५	००
			काट ट्रैक		०	००	५०
			८५०		०	२३	६५
			८४१		०	१०	०५
			काट ट्रैक		०	००	७५
			८७४		०	०८	४०
			८७३		०	०६	१५
			८७२		०	०६	४५
			८७१		०	०६	१५
			८६९		०	०३	००

[No. 12016/55/80-Prod.]

का० आ० 3054.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० ४, १४, २ तथा मेन पाइप लाइन से ग्रोपाड़ जी०मी०ए०५० तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी चाहिए।

ओर यह, यह प्रतीत होता है कि ऐसी लाइनों को बिलाने के प्रयोजन के लिये एस्ट्रॉबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः यद्य पेट्रोलियम और अमिन पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा ३ की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एस्ट्रॉबद्ध घोषित किया है।

बास्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन बिलाने के लिए आमेप सक्षम अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड, वडोदरा-९ को इस अधिसूचना की तारीख से २१ दिनों के भीतर कर सकेगा।

ओर ऐसा आमेप करने वाला हर व्यक्ति विनिविष्ट, यह भी कथन करेगा कि क्या वह यह चाहता है कि उसको मुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की माफत।

अनुसूची

कूप नं० ४, १४, २ और मुख्य लाइन से ग्रोपाड़ जी०मी०ए०५० तक पाइप लाइन बिलाने के लिए।

राज्य: गुजरात	जिला: मूरत	तालुका: ओलपाड	गांव	ब्लॉक नं०	क्षेत्रफल	ए. आर. ई. सेटीपर
मालेपग			१२		०	०३
			१५		०	०६
			१७		०	१६

[सं० १२०१६/५६/८०-प्र०-१]

S.O. 3054.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from 4, 1A, 2 Mainline to Olpad Gas in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And Whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

R.O.U. for well No. 4, 1A, 2 & Main Line to Olpad GCS

State: Gujarat	District: Surat	Taluka : Olpad		
Village	Block No.	Hec-tare	Arc	Centi- tiare
Salepara	12	0	03	89
	15	0	06	46
	17	0	16	32

[No. 12016/56/80-Prod.I]

का० आ० 3055.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० 1ए० 2 तथा मेन लाइन से जी० सी० एस० ओलपाठ तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा विभाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों का विभाजन के प्रयोजन के लिये पत्रदावक अनुसूची में वर्णित भूमि में उपयोग का अधिकार अभिन्न करना आवश्यक है।

प्रत. ग्रब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त जटियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अभिन्न करने का अपना एवं द्वारा घोषित किया है।

भासते कि उक्त भूमि में हितवद्ध कोई व्यक्ति, उस भूमि के नीचे पाइप लाइन विभाजन के लिए आक्षेप समय अधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और वेष्ट-भाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट है कि उसकी सुनवाई अतिक्रम हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कूप नं० 1ए० 2 तथा मेन लाइन से जी०सी०एस० ओलपाठ तक पाइप लाइन विभाजन के लिए।

राज्य-गुजरात	जिला-सूरत तालुका-ओलपाठ			
गांव	ब्लॉक नं०	हेक्टेयर	एक्टराई	सेमीयर
असनाबाद	37	0	12	35
	53	0	14	16
	40	0	12	24
	48	0	39	27
	51	0	04	59
	50	0	36	04
	49	0	02	21

[सं० 12016/56/80-प्रो०-II]

S.O. 3055.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from 1A, 2 and Main line to GCS Olpad in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

R.O.U. for well Nos. 1A, 2 and Main line to GCS, Olpad.

State: Gujarat	District : Surat	Taluka : Olpad		
Village	Block No.	Hec-tare	Arc	Centi- tiare
Asnabad	37	0	12	35
	53	0	14	16
	40	0	12	24
	48	0	39	27
	51	0	04	59
	50	0	36	04
	49	0	02	21

[No. 12016/56/80-Prod.-II]

का० आ० 3056--यतः केन्द्रीय सरकार को यह प्रतीत होता है कि सोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० 4 ओलपाठ जी०सी०एस० एस० तक पेट्रोलियम के परिवहन के लिये पहाड़ लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा विभाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइन के लिये वेष्ट-भाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिकार अभिन्न करना आवश्यक है।

प्रत. ग्रब पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त जटियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अभिन्न होने का प्राप्त एवं द्वारा घोषित किया है।

भासते कि उक्त भूमि में हितवद्ध कोई व्यक्ति उप भूमि के नीचे पाइप लाइन विभाजन के लिए आक्षेप समय अधिकारी, तेल तथा प्राकृतिक गैस आयोग निर्माण और वेष्ट-भाल प्रभाग, मकरपुरा रोड, वडोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट है कि उसकी सुनवाई अतिक्रम हो या किसी विधि व्यवसायी की मार्फत।

अनुसूची

कूप नं. 4 से ओलिपाड जी० जी० एम० तक पाइप लाइन बिछाने के लिए ।

राज्य-गुजरात	जिला-सूरत	तालुका-ओलिपाड
गांव	ब्लॉक नं०	हेक्टेयर एरीमाई सेंटीमर
ओलिपाड	302	0 09 12
	303	0 03 72
	305	0 14 52
[सं० 12016/56/80-प्र०-III]		

S.O. 3056.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from Well No. 4 to Olpad GCS in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

R.O.U. for Well No. 4 to Olpad GCS.

State: Gujarat	District : Surat	Taluka : Olpad
Village	Block No.	Hec- Are Cen- tiare
Olpad	302	0 09 12
	303	0 03 72
	305	0 14 52
[No. 12016/56/80-Prod.-III]		

का०आ० 3057.—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० दक्षिण संथाल से उत्तर कड़ी जी०जी०एम०-1 तक पेट्रोलियम के परिवहन के लिये पाइप लाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए ।

और यह: यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिये एतद्वादृ अनुसूची में वर्णित भूमि में उपयोग का अधिकार भर्जन करना आवश्यक है ।

प्रत. अथ पेट्रोलियम और अन्य पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त अधिकार का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एनद्डारा घोषित किया है ।

बायते कि उक्त भूमि में हिन्दूद्वादृ कोई अर्कि, उस भूमि के नीचे पाइप लाइन बिछाने के लिए आवश्यक सभी अधिकारी, तेल तथा प्राकृतिक गैस आयोग, नियमित और देखभाल प्रभाग, मकरपुरा रोड, अहोदरा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आवश्यक करने वाला हर व्यक्ति विनिविष्ट है कि उसकी मुनावई अनिवार्य हो या किसी विधि अवासीय की मार्फत ।

अनुसूची

बिसिण मध्याल में उत्तर कड़ी जी०जी०एम०-1 तक पाइप लाइन बिछाने के लिए ।

राज्य-गुजरात	जिला-भृगुदाम तालुका-विरामगंग
गांव	सर्वे नं० हेक्टेयर ए०एरा०ई००० मेन्टीयर
भटारिया	86 0 16 35
	85/1 0 9 90
	94 0 32 55
	काट्टेक 0 00 75
	82/5 0 18 90
	82/4 0 00 15
	82/6 0 6 30
	81/2 0 5 10
	71/2 0 7 05
	71/1 0 6 75
	71/3 0 8 10
	70/1 0 2 70

[सं० 12016/48/80-प्र०-1]

S.O. 3057.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from South Santhal to North Kadi GGS I in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission ;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein ;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from South Santhal to North Kadi GGSI

State: Gujarat	District: Ahmedabad	Taluka : Viramgam
Village	Survey No.	Hec- Are Cen- tiare
Bhataria	86 0 16 35	
	85/1 0 09 90	
	84 0 32 55	
	Cart track 0 00 75	
	82/5 0 18 90	
	82/4 0 00 15	
	82/6 0 06 30	
	81/2 0 05 10	
	71/2 0 07 05	
	71/1 0 06 75	
	71/3 0 08 10	
	70/1 0 02 70	

[No. 12016/48/80-प्र०-1]

का०आ० 3058—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में कूप नं० दक्षिण संथाल से उत्तर कड़ी जी०जी०गम०-१ सक लेटोलियम के परिवहन के लिये पार्श्व लाईन तेल तथा प्राकृतिक गैस आयोग द्वारा बिलाई जानी जाहिए ।

और यतः यह प्रतीत होता है कि गेसो लाईनों को बिलाने के प्रयोगन के लिये एलपीजी अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है ।

यतः अब पेट्रोलियम और खनिज पाल्प लाइन भूमि में उपयोग के अधिकार का प्रजन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एनदब्ल्यूआर घोषित किया है ।

बताते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उम भूमि के नीचे पाल्प लाइन बिलाने के लिए आक्षेप मक्कम अधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देवभाल प्रभाग, मकरपुरा रोड, बडोदरा-९ को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा ।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनशाई अस्तित्व हो या किसी विधि अवधारी की माफ़त ।

अनुसूची

दक्षिण संथाल में उत्तर कड़ी जी०जी०गम०-१ सक पाल्प लाइन बिलाने के लिए ।

राज्य-गुजरात	ज़िला-मेहसाना	तालुका-मेहसाना	
गांव	लाइन नं०	हेक्टेयर ए.प्रारै लेटोलियर	
कासलपुर	861	0	60
	862	0	9
	874	0	6
	886	0	13
	884	0	6
	883	0	2

[सं० 12016/48/प्र०-११]

S.O. 3058.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from South Santhal to North Kadi GGS I in Gujarat State pipelines should be laid by the Oil & Natural Gas Commission;

And whereas it appears that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Vadodara-390009.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from South Santhal to N. Kadi GGS I

State: Gujarat	Taluk: Mehsana	District: Mehsana		
Village	Block No.	Hectare	Acre	Centiares
Kasalpur	861	0	0	60
	862	0	9	30
	874	0	6	30
	886	0	13	50
	884	0	6	30
	883	0	2	10

[No. 12016/48/80-Prod. II]

नई दिल्ली, 25 अक्टूबर, 1980

का०आ० 3059—यतः पेट्रोलियम और खनिज पाल्पलाइन (भूमि के उपयोग के अधिकार का प्रजन) अधिनियम 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम, रसायन और उद्योग कंट्रोलर (पेट्रोलियम बिभाग) की अधिसूचना का०आ०गम० ८०९७ दिक्षिका०५-४-१९८० द्वारा केन्द्रीय सरकार ने उम अधिसूचना से संबंध अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाल्पलाइनों को बिलाने के प्रयोगन के लिए अर्जित करने का अपना आशय घोषित कर दिया था,

और यत भ्रम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है,

और आगे, यत केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संबंध अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाल्पलाइन बिलाने के प्रयोगन के लिए एनदब्ल्यूआर अर्जित किया जाना है,

अब अप: उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करने हुए केन्द्रीय सरकार एनदब्ल्यूआर घोषित करने हैं कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाल्पलाइन बिलाने के प्रयोगन के लिए एनदब्ल्यूआर अर्जित किया जाना है,

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निर्धारित होने के बायां इडियन आर्थिक अवरोधेशन नियमिंटह में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकार उक्त इस नारीख को निर्धारित होगा ।

अनुसूची

तहसील-मधुर	ज़िला-मधुरा	राज्य: उत्तर प्रदेश		
गांव	लाइन नं०	प्रेसरफल		
1	2	3	4	5
बाव	537 मिन	0	01	62
	559 मिन	0	02	02
	591 मिन	0	00	40
	592 मिन	0	11	33
	595 मिन	0	11	74
	596 मिन	0	04	05
	605 मिन	0	10	12
	608 मिन	0	01	
	609 मिन	0	01	62
	610 मिन	0	09	31

1	2	3	4	5	1	2	3	4	5
बाबू--जारी	611 मिन	0	00	40		989 मिन	0	01	21
	612 मिन	0	06	88		2471 मिन	0	01	21
	689 मिन	0	04	05		2472 मिन	0	09	31
	705 मिन	0	06	88		2473 मिन	0	08	09
	706 मिन	0	06	88		2475 मिन	0	08	99
	707 मिन	0	05	26		2476 मिन	0	00	40
	708 मिन	0	01	62		2478 मिन	0	07	28
	711 मिन	0	19	02		2479 मिन	0	00	81
	712 मिन	0	00	81		2482 मिन	0	08	09
	718 मिन	0	06	07		2483 मि	0	09	31
	719 मिन	0	13	35		2495 मिन	0	20	64
	720 मिन	0	09	31		2498 मिन	0	68	39
	721 मिन	0	00	81		2511 मिन	0	01	21
	738 मिन	0	00	81		2513 मिन	0	18	21
	739 मिन	0	08	50		2514 मिन	0	11	33
	740 मिन	0	07	28		2518 मिन	0	13	76
	820 मिन	0	07	28		2519 मिन	0	06	88
	821 मिन	0	00	40		2546 मिन	0	03	64
	822 मिन	0	09	31		2600 मिन	0	07	28
	824 मिन	0	10	31		2601 मिन	0	00	40
	826 मिन	0	00	40		2602 मिन	0	10	93
	827 मिन	0	04	86		2603 मिन	0	08	90
	828 मिन	0	00	40		2609 मिन	0	02	02
	836 मिन	0	01	21		2611 मिन	0	10	12
	878 मिन	0	08	09		2612 मिन	0	08	50
	879 मिन	0	06	88		2617 मिन	0	03	64
	880 मिन	0	01	21		2618 मिन	0	02	43
	924 मिन	0	01	62		2664 मिन	0	00	40
	925 मिन	0	04	45		2665 मिन	0	06	88
	926 मिन	0	07	69		2666 मिन	0	00	40
	927 मिन	0	03	64		2669 मिन	0	00	81
	930 मिन	0	00	81		2670 मिन	0	11	33
	939 मिन	0	00	81		2671 मिन	0	03	64
	940 मिन	0	05	67		2672 मिन	0	02	02
	941 मिन	0	08	09		2673 मिन	0	06	07
	942 मिन	0	00	81		2674 मिन	0	05	67
	948 मिन	0	13	35		2675 मिन	0	02	43
	949 मिन	0	02	43		2689 मिन	0	08	50
	961 मिन	0	06	88		2688 मिन	0	00	81
	962 मिन	0	01	62		2692 मिन	0	06	4
	967 मिन	0	05	67		2693 मिन	0	05	5
	971 मिन	0	08	09		2717 मिन	0	28	73
	972 मिन	0	06	47		3430 मिन	0	01	62
	973 मिन	0	00	40					
	974 मिन	0	12	14					
	975 मिन	0	04	86		1 मिन	0	27	92
	976 मिन	0	04	86		3 मिन	0	00	81
	977 मिन	0	00	40		4 मिन	0	00	81
						7 मिन	0	27	52
						8 मिन	0	13	35
						10 मिन	0	12	55
						13 मिन	0	38	45
						14 मिन	0	29	14
						255 मिन	0	04	45
आइ	978 मिन	0	06	47					
	979 मिन	0	07	69					
	981 मिन	0	01	21					

प्रकृति

1	2	3	4	5	1	2	3	4	5
महाराष्ट्री—जारी	258 मिन	0	06	07	महोली—जारी	374 मिन	0	03	24
	259 मिन	0	19	02		390 मिन	0	03	64
	264 मिन	0	03	64		391 मिन	0	01	21
	265 मिन	0	03	24		392 मिन	0	38	85
	266 मिन	0	00	40		394 मिन	0	48	56
	288 मिन	0	03	64		398 मिन	0	22	66
	296 मिन	0	33	18		702 मिन	0	08	09
	297 मिन	0	20	64		399 मिन	0	22	66
	320 मिन	0	00	81		402 मिन	0	09	71
	328 मिन	0	32	37		405 मिन	0	01	62
	329 मिन	0	02	83		847 मिन	0	19	83
	333 मिन	0	00	81		856 मिन	0	03	64
	334 मिन	0	19	42		860 मिन	0	33	18
	335 मिन	0	08	50		861 मिन	0	10	12
	336 मिन	0	02	83		862 मिन	0	00	81
	337 मिन	0	03	64		867 मिन	0	04	86
	343 मिन	0	00	40		868 मिन	0	19	02
	344 मिन	0	33	99		972 मिन	0	01	21
	476 मिन	0	19	83		873 मिन	0	26	30
	478 मिन	0	03	24		876 मिन	0	18	62
	479 मिन	0	48	97		878 मिन	0	02	02
मराठीली	283 मिन	0	12	55		880 मिन	0	08	09
	284 मिन	0	10	93		291 मिन	0	03	64
	290 मिन	0	00	81	पासी खेडा	56 मिन	0	04	86
	433 मिन					57 मिन	0	18	62
महोली	107 मिन	0	43	71		74 मिन	0	19	02
	108 मिन	0	14	16		76 मिन	0	02	83
	109 मिन	0	01	21		95 मिन	0	10	93
	110 मिन	0	01	21		96 मिन	0	08	90
	111 मिन	0	16	19		98 मिन	0	13	76
	112 मिन	0	06	47		116 मिन	0	03	24
	113 मिन	0	02	43		117 मिन	0	34	40
	119 मिन	0	02	43		120 मिन	0	01	62
	124 मिन	0	07	69		121 मिन	0	29	51
	125 मिन	0	21	85		122 मिन	0	08	09
	158 मिन	0	02	43		123 मिन	0	02	02
	162 मिन	0	19	02		125 मिन	0	05	26
	163 मिन	0	32	37		201 मिन	0	24	69
	164 मिन	0	06	88		204 मिन	0	26	71
	275 मिन	0	01	62		205 मिन	0	24	23
	277 मिन	0	23	47		पिरव्वर पुर	5 मिन	59	09
	278 मिन	0	21	45		56 मिन	0	12	14
	282 मिन	0	16	19		58 मिन	0	40	47
	287 मिन	0	05	26		60 मिन	0	02	02
	288 मिन	0	00	81		65 मिन	0	00	81
	289 मिन	0	07	69		78 मिन	0	01	62
	290 मिन	0	05	67		83 मिन	0	22	66
	301 मिन	0	16	19		84 मिन	0	02	43
	302 मिन	0	08	09		110 मिन	0	00	81
	354 मिन	0	34	40		116 मिन	0	12	95
	356 मिन	0	01	62		117 मिन	0	23	07
	362 मिन	0	00	40		118 मिन	0	18	21
	363 मिन	0	18	62		119 मिन	0	36	02
	364 मिन	0	13	76					
	373 मिन	0	37	23					

१	२	३	४	५	१	२	३	४	५
पिंडियर पुर—जारी	१२२ मिन	०	१२	९५	प्रदेश—जारी	३५० मिन	०	७	३६
	१२४ मिन	०	०३	६४		३५१ मिन	०	२५	५०
	१२५ मिन	०	१०	१२		३५५ मिन	०	२२	६६
	१२७ मिन	०	०१	६२		३५७ मिन	०	००	८१
	१२९ मिन	०	०४	४०		३५८ मिन	०	०९	३१
	१३१ मिन	०	०४	४५		३६६ मिन	०	३१	५७
	१३३ मिन	०	१३	३५		३७१ मिन	०	५०	५९
	१३४ मिन	०	१०	१२		३६९ मिन	०	००	८१
मताहा असगारपुर	३१९ मिन	०	००	८१		३७२ मिन	०	०१	६२
	३२० मिन	०	१०	९३		३६८ मिन	०	०१	६२
	३२१ मिन	०	००	८१		३७८ मिन	०	१४	१६
	३२२ मिन	०	०४	४५					
	३२३ मिन	०	२६	७१	बाटों	०९५ मिन	०	१९	०२
	३२४ मिन	०	०१	२१		११७ मिन	०	०१	२१
बाक्कलपुर	४१ मिन	०	२७	५२		१३३ मिन	०	०४	४५
	४३ मिन	०	०५	५७		१३४ मिन	०	०५	६७
	४८ मिन	०	०३	२५		१५० मिन	०	००	४०
	५१ मिन	०	०५	६७		१५१ मिन	०	०२	०२
	५२ मिन	०	०१	१५		१५२ मिन	०	०६	८८
	५६ मिन	०	०२	०२		१५३ मिन	०	०१	२१
	५७ मिन	०	००	८१		१५९ मिन	०	००	८१
	५८ मिन	०	०१	२१		१६० मिन	०	०८	५०
	५९ मिन	०	०८	९०		१६१ मिन	०	०५	२६
	६० मिन	०	००	१०		१६२ मिन	०	०१	६२
	६४ मिन	०	०३	२१		१६३ मिन	०	०६	८८
	७१ मिन	०	१३	३५		१६४ मिन	०	००	४०
	७२ मिन	०	१०	१२		१६५ मिन	०	०९	७१
	७३ मिन	०	१६	३४		१६६ मिन	०	०६	८८
गणेशग	८४ मिन	०	०३	६४		१६७ मिन	०	०३	२१
	४९ मिन	०	१९	८३		३५६ मिन	०	०१	२१
	५० मिन	०	०४	९०		३६३ मिन	०	०४	४५
	५२ मिन	०	०२	४३		३६४ मिन	०	०३	२१
	५३ मिन	०	०२	०२		३६५ मिन	०	०९	३१
	५८ मिन	०	०८	९०		३६६ मिन	०	००	८१
	५९ मिन	०	३३	९९		३६९ मिन	०	००	४०
	६० मिन	०	०२	०२		३७० मिन	०	०९	७१
	६३ मिन	०	०१	२१		३७३ मिन	०	००	४०
	६४ मिन	०	४४	११		३७९ मिन	०	०४	८६
	६५ मिन	०	०४	८६		३८० मिन	०	०८	५०
	१३२ मिन	०	४८	९७		४१६ मिन	०	४९	७८
	१३३ मिन	०	०३	६४		४४० मिन	०	५३	१२
	१५९ मिन	०	४१	२८		४५० मिन	०	०३	६४
	१६१ मिन	०	१७	८१		४५१ मिन	०	०३	६४
कंखरी	१७८ मिन	०	१०	९३		४५२ मिन	०	०५	२६
अरहग	२३१ मिन	०	०३	२४		१५३ मिन	०	०३	२४
	२३२ मिन	०	०१	२१		४५४ मिन	०	०५	६७
	२३३ मिन	०	१५	३८		४७५ मिन	०	०७	६९
	२३४ मिन	०	०६	८८		१७६ मिन	०	१५	३८
	२४० मिन	०	०२	०२		१७९ मिन	०	१४	१६
	३२९ मिन	०	३७	२३		४८० मिन	०	१३	७६
	३३१ मिन	०	११	३३		१८१ मिन	०	१३	७६
	३३२ मिन	०	१४	५७		४८२ मिन	०	१३	३५
	३३२ मिन	०	१७	८१		४८३ मिन	०	००	८१
	३४१ मिन	०	०१	६२		१९४ मिन	०	०७	२५
	३४९ मिन	०	१९	२१		७४१ मिन	०	२९	७३

1	2	3	4	5	1	2	3	4	5
बाटी	745 मिन	0	11	33		320 मिन	0	06	47
	749 मिन	0	03	24		321 मिन	0	23	07
	759 मिन	0	00	81		322 मिन	0	31	16
	760 मिन	0	13	35		323 मिन	0	08	47
	761 मिन	0	00	40					
	763 मिन	0	03	24					
	764 मिन	0	07	28					
	765 मिन	0	15	78					
	766 मिन	0	06	48					
	768 मिन	0	38	45					
	776 मिन	0	01	62					
	777 मिन	0	67	18					
	804 मिन	0	03	24					
	806 मिन	0	02	43					
	807 मिन	0	12	95					
	808 मिन	0	10	93					
	810 मिन	0	17	81					
	812 मिन	0	18	62					
	827 मिन	0	04	05					
	829 मिन	0	00	81					
मध्येरा	17 मिन	0	23	47					
	18 मिन	0	15	78					
	19 मिन	0	00	81					
	20 मिन	0	00	81					
	21 मिन	0	30	35					
	26 मिन	0	18	21					
	27 मिन	0	17	81					
	28 मिन	0	32	37					
	34 मिन	0	00	81					
	35 मिन	0	02	43					
	36 मिन	0	16	19					
	37 मिन	0	00	40					
	39 मिन	0	05	26					
	40 मिन	0	57	87					
	44 मिन	0	22	26					
	48 मिन	0	00	81					
	49 मिन	0	26	71					
	113 मिन	0	01	21					
	116 मिन	0	26	71					
	145 मिन	0	00	81					
	153 मिन	0	28	33					
	154 मिन	0	01	62					
	157 मिन	0	16	59					
	159 मिन	0	03	24					
	265 मिन	0	20	23					
	266 मिन	0	00	81					
	267 मिन	0	15	38					
	276 मिन	0	21	45					
	277 मिन	0	29	95					
	281 मिन	0	24	28					
	286 मिन	0	04	86					
	287 मिन	0	04	86					
	288 मिन	0	02	02					
	289 मिन	0	12	14					
	319 मिन	0	00	40					

	2	3	4	5	1	2	3	4	5
Bud Contd	719 Min	0	13	35	Bad-Contd.	2611 Min	0	10	12
	720 Min	0	09	31		2612 Min	0	08	50
	721 Min	0	00	81		2617 Min	0	03	64
	738 Min	0	00	81		2618 Min	0	02	43
	739 Min	0	08	50		2664 Min	0	00	40
	740 Min	0	07	28		2665 Min	0	06	88
	820 Min	0	07	28		2666 Min	0	00	40
	821 Min	0	00	40		2669 Min	0	00	81
	822 Min	0	09	31		2670 Min	0	11	33
	824 Min	0	10	31		2671 Min	0	03	64
	826 Min	0	00	40		2672 Min	0	02	02
	827 Min	0	04	86		2673 Min	0	06	07
	828 Min	0	00	40		2674 Min	0	05	67
	836 Min	0	01	21		2675 Min	0	02	43
	878 Min	0	08	09		2689 Min	0	08	50
	879 Min	0	06	88		2688 Min	0	00	81
	880 Min	0	01	21		2692 Min	0	06	47
	924 Min	0	01	62		2693 Min	0	05	67
	925 Min	0	04	45		2717 Min	0	28	73
	926 Min	0	07	69	Aruki	3430 Min	0	01	62
	927 Min	0	03	64		1 Min	0	27	92
	930 Min	0	00	81		3 Min	0	00	81
	939 Min	0	00	81		4 Min	0	00	81
	940 Min	0	05	67		7 Min	0	27	52
	941 Min	0	08	09		8 Min	0	13	35
	942 Min	0	00	81		10 Min	0	12	55
	948 Min	0	13	35		13 Min	0	38	45
	949 Min	0	02	43		14 Min	0	29	14
	961 Min	0	06	88		255 Min	0	04	45
	962 Min	0	01	62		258 Min	0	06	07
	967 Min	0	05	67		259 Min	0	19	02
	971 Min	0	08	09		264 Min	0	03	61
	972 Min	0	06	47		265 Min	0	03	24
	973 Min	0	00	40		266 Min	0	00	40
	974 Min	0	12	14		288 Min	0	03	64
	975 Min	0	04	86		296 Min	0	33	18
	976 Min	0	04	86		297 Min	0	20	64
	977 Min	0	00	40		320 Min	0	00	81
	978 Min	0	06	47		328 Min	0	32	37
	979 Min	0	07	69		329 Min	0	02	83
	981 Min	0	01	21	Narholi	333 Min	0	00	81
	989 Min	0	01	21		334 Min	0	19	42
	2471 Min	0	01	21		335 Min	0	08	50
	2472 Min	0	09	31		336 Min	0	02	83
	2473 Min	0	08	99		337 Min	0	03	64
	2475 Min	0	08	09		343 Min	0	00	40
	2476 Min	0	00	40		344 Min	0	33	99
	2478 Min	0	07	28		476 Min	0	19	83
	2479 Min	0	00	81		478 Min	0	03	24
	2482 Min	0	13	01		479 Min	0	48	97
	2483 Min	0	09	31		283 Min	0	12	55
	2495 Min	0	20	64		284 Min	0	10	93
	2498 Min	0	68	39		290 Min	0	00	81
	2511 Min	0	01	21		433			
	2513 Min	0	18	21	Maholi	107 Min.	0	43	71
	2514 Min	0	11	33		108 Min	0	14	16
	2518 Min	0	13	76		109 Min	0	01	21
	2519 Min	0	06	88		110 Min	0	01	21
	2546 Min	0	03	64		111 Min	0	16	19
	2600 Min	0	07	28		112 Min	0	06	47
	2601 Min	0	00	40		113 Min	0	02	43
	2602 Min	0	10	93		119 Min	0	02	43
	2603 Min	0	08	90		124 Min	0	07	69
	2609 Min	0	02	02		125 Min	0	21	85

1	2	3	4	5	1	2	3	4	5
Meholi—Contd.	158 Min	0	02	43	Girdhar Pur—Contd.	83 Min	0	22	66
	162 Min	0	19	02		84 Min	0	02	43
	163 Min	0	32	37		110 Min	0	00	81
	164 Min	0	06	88		116 Min	0	12	95
	275 Min	0	01	62		117 Min	0	23	07
	277 Min	0	23	47		118 Min	0	18	21
	278 Min	0	21	45		119 Min	0	36	02
	282 Min	0	16	19		122 Min	0	12	95
	287 Min	0	05	26		124 Min	0	03	64
	288 Min	0	00	81		125 Min	0	10	12
	289 Min	0	07	69		127 Min	0	01	62
	290 Min	0	05	67		129 Min	0	04	45
	301 Min	0	16	19		131 Min	9	04	45
	302 Min	0	08	09		133 Min	0	13	35
	354 Min	0	34	40		134 Min	0	10	12
	356 Min	0	01	62	Satohi Asgarpur	319 Min	0	00	81
	362 Min	0	00	40		320 Min	0	10	93
	363 Min	0	18	62		321 Min	0	00	81
	364 Min	0	13	76		322 Min	0	04	45
	373 Min	0	37	23		323 Min	0	26	71
	374 Min	0	03	24		324 Min	0	01	21
	390 Min	0	03	64	Vakalpur	41 Min	0	27	52
	391 Min	0	01	21		43 Min	0	03	25
	392 Min	0	38	85		48 Min	0	03	25
	394 Min	0	48	56		51 Min	0	05	67
	398 Min	0	22	66		52 Min	0	04	45
	399 Min	0	22	66		56 Min	0	02	02
	402 Min	0	09	71		57 Min	0	00	81
	405 Min	0	01	62		58 Min	0	01	21
	702 Min	0	08	09		59 Min	0	08	90
	847 Min	0	19	83		60 Min	0	00	40
	856 Min	0	03	64		69 Min	0	03	24
	860 Min	0	33	18		71 Min	0	13	35
	861 Min	0	10	12		72 Min	0	10	12
	862 Min	0	00	81		73 Min	0	16	59
	867 Min	0	04	86		84 Min	0	03	64
	868 Min	0	19	02	Ganeshra	49 Min	0	19	83
	872 Min	0	01	21		50 Min	0	08	90
	873 Min	0	26	30		52 Min	0	02	43
	876 Min	0	18	62		53 Min	0	02	02
	878 Min	0	02	02		58 Min	0	08	90
	880 Min	0	08	09		59 Min	0	33	99
	291 Min	0	03	64		60 Min	0	02	02
Palikhera	56 Min	0	04	86		63 Min	0	01	21
	57 Min	0	18	62		64 Min	0	44	11
	74 Min	0	19	02		65 Min	0	04	86
	76 Min	0	02	83		132 Min	0	48	97
	95 Min	0	10	93		133 Min	0	03	64
	96 Min	0	08	90		159 Min	9	41	28
	98 Min	0	13	76		161 Min	0	17	81
	116 Min	0	03	24	Bhanchari	178 Min	0	10	93
	117 Min	0	34	40	Arhera	231 Min	0	03	24
	120 Min	0	01	62		232 Min	0	01	21
	121 Min	0	29	54		233 Min	0	15	38
	122 Min	0	08	09		234 Min	0	06	88
	123 Min	0	02	02		240 Min	0	02	02
	125 Min	0	05	26		329 Min	0	37	23
	201 Min	0	24	69		331 Min	0	11	33
	204 Min	0	26	71		332 Min	9	14	57
	205 Min	0	24	28		333 Min	0	17	81
Girdhar Pur	5 Min	0	59	09		344 Min	0	01	62
	56 Min	0	12	14		349 Min	0	18	21
	58 Min	0	40	47		350 Min	0	07	28
	60 Min	0	02	02		351 Min	0	25	50
	65 Min	0	00	81		355 Min	0	22	66
	78 Min	0	01	62					

1	2	2	4	5	1	2	3	4	5
Arhora Contd.	357 Min	0	00	81	Bati-Contd	807 Min	0	12	95
	358 Min	0	09	31		808 Min	0	10	93
	366 Min	0	31	57		810 Min	0	17	81
	371 Min	0	50	59		812 Min	0	18	62
	369 Min	0	00	81		827 Min	0	04	05
	372 Min	0	01	62		829 Min	0	00	81
	368 Min	0	01	62	Maghera	17 Min	0	23	47
	378 Min	0	14	16		18 Min	0	15	78
Bati	95 Min	0	19	02		19 Min	0	00	81
	117 Min	0	01	21		20 Min	0	00	81
	133 Min	0	04	45		21 Min	0	30	35
	134 Min	0	05	67		26 Min	0	18	21
	150 Min	0	00	40		27 Min	0	17	18
	151 Min	0	02	02		28 Min	0	32	37
	152 Min	0	06	88		34 Min	0	00	81
	153 Min	0	01	21		35 Min	0	02	43
	159 Min	0	00	81		36 Min	0	16	19
	160 Min	0	08	50		37 Min	0	00	40
	161 Min	0	05	26		39 Min	0	05	26
	162 Min	0	01	62		40 Min	0	57	87
	163 Min	0	06	88		44 Min	0	22	26
	164 Min	0	00	40		48 Min	0	00	81
	165 Min	0	09	71		49 Min	0	28	71
	166 Min	0	06	88		113 Min	0	01	21
	167 Min	0	93	24		116 Min	0	26	71
	365 Min	0	01	21		145 Min	0	00	81
	363 Min	0	04	45		153 Min	0	28	33
	364 Min	0	03	24		154 Min	0	01	62
	365 Min	0	09	31		157 Min	0	16	59
	366 Min	0	00	81		159 Min	0	03	24
	369 Min	0	00	10		265 Min	0	20	23
	370 Min	0	09	71		266 Min	0	00	81
	373 Min	0	00	40		267 Min	0	15	38
	379 Min	0	04	86		276 Min	0	21	45
	380 Min	0	08	50		277 Min	0	29	95
	416 Min	0	49	78		281 Min	0	24	28
	440 Min	0	53	42		286 Min	0	04	86
	450 Min	0	03	64		287 Min	0	04	86
	451 Min	0	03	64		288 Min	0	02	02
	452 Min	0	05	26		289 Min	0	12	14
	453 Min	0	03	24		319 Min	0	00	40
	454 Min	0	05	67		320 Min	0	06	47
	475 Min	0	07	69		321 Min	0	23	07
	476 Min	0	15	38		322 Min	0	31	16
	479 Min	0	14	16		323 Min	0	06	47
	480 Min	0	13	76					
	481 Min	0	13	76					
	482 Min	0	13	35					
	483 Min	0	00	81					
	494 Min	0	07	28					
	741 Min	0	28	73					
	745 Min	0	11	33					
	749 Min	0	03	24					
	759 Min	0	00	81					
	760 Min	0	13	35					
	761 Min	0	00	40					
	763 Min	0	03	24					
	764 Min	0	07	28					
	765 Min	0	15	78					
	766 Min	0	06	48					
	768 Min	0	38	45					
	776 Min	0	01	62					
	777 Min	0	67	18					
	804 Min	0	03	24					
	806 Min	0	02	43					

[No. 12020/3/80-Prod]

KIRAN CHADHA, Under Secy.

स्वास्थ्य और पर्यावरण विभाग

(स्वास्थ्य विभाग)]

प्रत्यक्षित

नई विल्सो, 22 प्रक्तुवर, 1980

का० आ० 3060.—इस मंत्रालय को 26 मार्च, 1979 को
अधिसूचना मंत्रालय एस० 11012/2/79-सी० जी० एच० एस० (पी०)
(ए) की पाद टिप्पणी में निम्नलिखित वाक्य जोड़ने की रुपा करें।

नोट: "इन नियमों को पिण्डी नारीद से लागू करने के परिणामस्वरूप
किसी पर भी युरा प्रभाव नहीं पड़ेगा।"

[एस० 11012/2/79-सी० जी० एच० एस० (पी०) (ए)]

सत्यपाल गोस्वामी, अवर सचिव

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health)

ADDENDUM

New Delhi, the 22nd October, 1980

S.O. 3060.—Kindly add the following sentence as foot-note to this Ministry's Notification No. S. 11012/2/79-CGHS (P)(A) dated the 26th March, 1979.

Note : "No one will be adversely affected as a result of retrospective effect being given to these rules."

S. P. GOSWAMI, Under Secy.
[No. S. 11012/2/79-CGHS(P)(A)]

दिल्ली विकास प्राधिकरण

सर्वे एंड लेटल मैन्यूनिट-1

नई दिल्ली, 16 अक्टूबर, 1980

का० आ० 3061—दिल्ली विकास प्राधिनियम, 1957 (1957 की सं०-61) की धारा 22 की उपधारा (4) की व्यवस्थाओं के प्रतिमरण थे दिल्ली विकास प्राधिकरण ने नीचे लिखी अनुमूली में उल्लिखित भूमि आगे ईस्ट हाउस बनाने हेतु बिहार सरकार को हमालनरित करने के लिये भूमि एवं विकास कार्यालय निर्माण और भावास मकालय, भारत सरकार, वहाँ विल्ली के निपाटाम पर देने हेतु केन्द्रीय सरकार के निपाटाम पर लौटा दी है :—

भूमूली :

वर्गमय 3430 वर्गमीटर (वर्गमय 2768 वर्गमीटर) माप का भूमि खण्ड जो सरदार पटेल मार्ग नई विल्ली पर स्थित है, जिसका प्लाट न० 18 स्थल 31 है और जो अधिसूचना सं० एस० आ० 4719 दिनांक 21-8-75 का समस्त भाग है।

उपर्युक्त भूमि खण्ड की सीमाएं निम्नलिखित है :—

उत्तर में :—प्लाट न० 17

दक्षिण में :—स० सड़क

पूर्व में :—स० सड़क

पश्चिम में :—पहुँचने की सड़क

[स० एस० ए० आ० 33(17)/80/ए०एस०आ०(1)/1176-78]

DELHI DEVELOPMENT AUTHORITY

(Survey & Settlement Unit I)

New Delhi, the 16th October, 1980

S.O. 3061.—In pursuance of the provisions of Sub-section (4) of Section 22 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority has replaced at the disposal of the Central Government the land described in the schedule below for placing it at the disposal of the Land and Development Office, Ministry of Works & Housing, Govt. of India, New Delhi for further transfer to the Govt. of Bihar for Construction of Guest House.

SCHEDULE

Piece of land measuring about 3430 Sq. Yds. (about 2768 S.q.m.) situated at Sardar Patel Marg, New Delhi.—bearing Plot No. 18 Site No. 31 full of Notification No. S.O. 4719 dated 21-8-75.

The above piece of land is bounded as follows :—

North : Plot No. 17

South : S. Road

East : S. Road

West : Approach Road.

[No. S&S 33(17)/80/ASO(I)/1176-78]

सार्वजनिक सूचना

नई दिल्ली, 8 अक्टूबर, 1980

का० आ० 3062—1 (ए) दिल्ली मुख्य योजना के धेन डी-4 (संसद मार्ग) के धेनीय विकास चित्र अधिसूचना न० 21023(3)/66-य०डी० दिनांक 12-9-67 द्वारा केन्द्रीय सरकार द्वारा अनुमेयित में पुनर्विकास धोनों के रूप में इंगित किए धोनों हेतु पुनर्विकास प्रस्ताव प्रारूप तैयार हो चुके हैं।

(बी) उनके पाठ एवं चित्र की एक प्रति दिल्लो विकास प्राधिकरण के कार्यालय में शनिवार को छोड़कर शेष सभी कार्यालय दिवसों में 11.00 बजे (पूर्वो) से 3.00 बजे (आराहत) तक यहाँ पैग 3 में उल्लिखित तिथि तक निरीक्षण के लिए उपलब्ध होंगी।

2. एतद्वारा इन प्रारूप प्रस्तावों के सम्बन्ध में आपत्तियाँ एवं सुझाव प्राप्तिकृत किए जाते हैं।

3. आपत्तियाँ एवं सुझाव इस सूचना के जारी किए जाने की तिथि से 30 दिन में मध्यिक, दिल्ली विकास प्राधिकरण, मुख्य योजना अनुभाग, 10वीं भविल, विकास मीनार, इन्द्रप्रस्थ इस्टेट, नई विल्ली को लिखित रूप में भेज दिए जाएँ। आपत्ति/सुझाव निखाने वाले व्यक्ति को अपना नाम एवं पूरा पता भी लिखना चाहिए।

[स० एफ० 4(2)/63 एम०आ०]

बी० क० मलौका, सचिव

PUBLIC NOTICE

New Delhi, the 8th November, 1980

S.O. 3062.—1.(a) The draft Re-development proposals for Zone D-4 (Sansad Marg) of Delhi Master Plan for the area indicated as re-development areas in the Zonal Development Plan (approved by the Central Government vide notification No. 21023/3/66-UD dated 12-9-67) have been prepared.

(b) A copy of the text and the plan thereof will be available for inspection in the office of the Delhi Development Authority, Vikas Minar, Indraprastha Estate, New Delhi, between the hours of 11.00 a.m. and 3.00 p.m. on all working days except Saturdays till the date mentioned in para 3 hereafter.

2. Objections and suggestions are hereby invited with respect to these draft proposals.

3. The objections or suggestions may be sent in writing to the Secretary, Delhi Development Authority, Master Plan Section, 10th Floor, Vikas Minar, Indraprastha Estate, New Delhi, within a period of 30 days from the date of this notice. The person making the objections/suggestions should also give his name and full address.

[No. F. 4(2)/63-MP]

B. K. MALHOTRA, Secy.

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 22 अक्टूबर, 1980

का० आ० 3063—कलाचित्र अधिनियम, 1952 की धारा 3 की उपधारा (1) के द्वारा प्रदत्त अधिकारों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एन० श्री० प्रमाद को तत्काल में ग्राहणे आदेश तक, किसी सेमर बोर्ड का मवम्य नियुक्त करती है।

[काल मंड्या 11/3/78-एफ०सी०)]

एस० क० पर्सी, निदेशक

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 22nd October, 1980

S.O. 3063.—In exercise of the powers conferred by sub-section (1) of Section 3 of the Cinematograph Act, 1952, the Central Government hereby appoints Shri L. V. Prasad as member of the Board of Film Censors with immediate effect until further orders.

[F. No. 11/3/78-FC]
S. K. SHARMA, Director

पूर्ति एवं पुनर्वास संबंधात्मक

(पुनर्वास विभाग)

(बन्दोबस्तु खण्ड)

नई दिल्ली, 14 अक्टूबर, 1980

का० आ० 3064.—विस्थापित अविनि (प्रतिकर एवं पुनर्वास) अधिनियम 1954 की धारा 34 की उपधारा (3) द्वारा मेरे में निहित की गई अविनियोग का प्रयोग करने हुए में “एस० पी० सूद” बन्दोबस्तु आयुक्त/उपमुख्य बन्दोबस्तु आयुक्त, विस्थापित अविनि (प्रतिकर एवं पुनर्वास) नियम 1955 के नियम 90 की अपनी अविनि को मन्यवदेश की सम्पत्तियों के नियटारे के लिए श्री शौ० सी० बहल बन्दोबस्तु अधिकारी को प्रतिनिहित करता है।

[सं० ए-36016(1)/79 एडमिन/जी-2/एम०डम्ब०]
एस० पी० सूद, उप मुख्य बन्दोबस्तु आयुक्त

MINISTRY OF SUPPLY & REHABILITATION

(Department of Rehabilitation)

(Settlement Wing)

New Delhi, the 14th October, 1980

S.O. 3064.—In exercise of the powers conferred on me by sub-sections (3) of Section 34 of the Displaced Persons (Compensation & Rehabilitation) Act 1954 (44 of 1954), I, S. P. Sud, Settlement Commissioner/Dy. Chief Settlement Commissioner hereby delegate my powers under Rule 90 of the Displaced Persons (Compensation & Rehabilitation) Rules 1955 to Shri D. C. Chahal, Settlement Officer with regard to the properties in Madhya Pradesh.

[No. A-36016(1)/79-Admn./G2(SW)]

S. P. SUD, Dy. Chief Settlement Commissioner (G).

अम मन्द्रालय

मालवा

नई दिल्ली, 27 सितम्बर, 1980

का० आ० 3065.—केन्द्रीय सरकार की राय है कि इससे उपायद अनुसूची में विनिर्दिष्ट विषय के बारे में मैसर्स सिंगरेनी कॉलियरीज कम्पनी लिमिटेड, महावीर खानी सं० 3, इनकलाइन बेलमपाली इकीजन III, के प्रबंधतांत्र से सावध एक श्रोतोगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णय के लिए निर्देशित करना चाहनीय समझती है;

अतः, केन्द्रीय सरकार, श्रोतोगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 10 की उपधारा (1) के लिए

(घ) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए, एक श्रोतोगिक अधिकरण गठित करती है जिसके पीठामीन अधिकारी श्री शौ० नीलाद्वी राव होने, जिनका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त श्रोतोगिक अधिकरण को न्यायनिर्णय के लिए निर्देशित करती है।

अमूसूची

या मैसर्स सिंगरेनी कॉलियरीज कम्पनी लिमिटेड, बेलमपाली इकीजन III के प्रबंधतांत्र की

- (i) महावीर खानी सं० 3 इनकलाइन, बेलमपाली इकीजन III के संवर्धनी इक्वलाइन और 14 ग्रन्थ अस्थायी टनल मजदूरों की एक वर्ष की सेवा दी रखने पर अनरल मजदूरों के रूप में शुल्क न करने
- (ii) बेतन-वृद्धियों का सदाय न करने, और
- (iii) 1-1-79 से गृह गाहक भरते का संदाय न करने की कार्रवाई न्यायालयम है? यदि नहीं तो सर्वधित कर्मकार किस अनुसूच के द्वारा है?

[सं० ए-21011(16)/80-शौ० IV(जी)]

हृष्म बहादुर, डेस्क अधिकारी

MINISTRY OF LABOUR

ORDER

New Delhi, the 27th September, 1980

S.O. 3065.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messrs Singareni Collieries Company Limited, Mahaveer Khani No. 3 Incline Belampalli Division III, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri V. Neeladri Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

SCHEDELE

Is the management of Messrs Singareni Collieries Company Limited, Belampalli Division III justified

- (i) in not confirming Sarvashri Iftekaruddin and 14 other temporary tunnel Mazdoors of Mahaveer Khani No. 3 Incline, Bellampalli Division III as General Mazdoors on completion of one year's service,
- (ii) in not paying the increments, and
- (iii) in not paying the House rent allowance from 1-1-79. If not, to what relief are the concerned workmen entitled?

[No. L-21011(16)/80-D.IV(B)]

New Delhi, the 22nd October, 1980

S.O. 3066.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in industrial dispute between the employers in relation to the management of Western Coalfields Limited, Pench Area, Parasia and their workmen, which was received by the Central Government on the 16th October, 1980.

BEFORE SHRI A. G. QURESHI, M.A.,LL.B., PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(55)/1980

PARTIES :

Employers in relation to the Management of Western Coalfields Limited, Pench Area, Parasia and their workmen represented through the Secretary, M.P. Rashtriya Koyla Khadan Mazdoor Sangh (INTUC), Chandametta, Post Office Parasia, District Chhindwara (M.P.)

APPEARANCES :

For Union—Shri S. S. Bharadwaj, Secretary.

For Management—S/Shri C. L. Jaiswal, Personnel Officer and P. S. Nair, Advocate.

INDUSTRY : Coal Mine DISTRICT : Chhindwara (M.P.)

AWARD

Dated : September 26, 1980

In exercise of the powers conferred by Clause 10 (1)(d) of the Industrial Disputes Act, 1947 the Government of India in the Ministry of Labour has referred the following industrial dispute to this Tribunal for adjudication vide L-22012(47)/79-D.IV.B dated 11th August, 1980—

"Whether the action of the management of Western Coalfields Limited, Pench Area, Parasia, in relation to their Chandametta Colliery in refusing to designate Sarvashri Jaishree Prasad, son of Chilar and Umasankar, S/o Munnilal as Traffic Incharge in Clerical Grade II amounted to unfair labour practice ? If so, to what relief are the two workmen entitled ?"

2. On receipt of the reference, parties were noticed to file their respective statements of claims on 22-9-1980. On the very first date i.e. on 22-9-1980 the Secretary of the Union Shri S. S. Bharadwaj and Shri C. L. Jaiswal, Personnel Officer accompanied by the Management's Counsel Shri P. S. Nair appeared and filed an application dated 20-9-1980 along with a copy of Memorandum of Settlement dated 13-4-1980 stating therein that the parties finally settled the above referred dispute mutually, as per the terms contained in the Memorandum of Settlement. They have further requested that an award in terms of the settlement be passed. The terms of settlement as incorporated in the Memorandum of Settlement are as under :—

"(1) The Management shall regularise S/Shri Umasankar and Jaishree as Traffic Incharge in Clerical Grade II of NCWA-II with effect from 1-4-1980 as it has been decided now that each production outlet have one Traffic Incharge in each shift and resulted vacancy due to promotion of Shri P. R. Singh and shifting of traffic incharge Shri R. Singh. This is being done as resultant vacancy was created after dispute was raised. Union accepted regularisation of Shri Umasankar and Jaishree shall not raise any further dispute.

(2) This settlement shall not be treated as a precedent in any other case."

3. I have perused the aforesaid terms of settlement and am of the view that the terms of settlement are fair, reasonable and beneficial to the workmen concerned. As such I give my award in terms of the settlement arrived at between the parties. The copy of application dated 20-9-1980 and copy of Memorandum of Settlement dated 13-4-1980 filed by the parties shall form part of the award.

26-9-1980

A. G. QURESHI, Presiding Officer

[No. L-22012/47/79-D.IV(B)]

HARBANS BAHADUR, Desk Officer

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR

Case No. CGIT/LC(R)(55)/1980

The General Manager,
Western Coalfields Limited,
Pench Area,
P.O. Parasia
District : Chhindwara (M.P.)

vs.

The Secretary,
M. P. Rashtriya Koyla Khadan Mazdoor Sangh (INTUC),
P.O. Chandametta,
District : Chhindwara (M.P.)

This is to inform the Hon'ble Presiding Officer, CGIT, Jabalpur, that the parties finally settled the above mentioned dispute as per the Memorandum of Settlement arrived between both the parties on 13-4-1980, a copy of which is enclosed and pray your honour for giving an Award in terms of the settlement.

(S. S. Bharadwaj)
Secretary,
M.P.R.K.K.M. Sangh (INTUC)
CHANDAMETTA
20th September, 1980
(C.L. Jaiswal)
Personnel Officer
Western Coalfields Limited
Pench Area
PARASIA
20th September, 1980

Representing Management :

1. Shri S. K. Sinha, Agent, Chandametta Colliery
2. Shri G. N. Verma, Manager, -do-
3. Shri C. L. Jaiswal, P.O. Area Unit/Chandametta.

Representing Workmen :

1. Shri S. S. Bharadwaj,
Secretary, M.P.R.K.K.M.S. (INTUC)
2. Shri Purshuramsingh
President, MPRKKMS (INTUC) Branch Chandametta
3. Shri C. Bhattacharya,
Secretary, MPRKKMS (INTUC) Branch Chandametta.

Short Recital of the Case

The M.P.R.K.K.M. Sangh (INTUC) raised Industrial Dispute before the Asstt. Labour Commissioner(C) Chhindwara vide their letter number INTUC/4/79/198, dated 13th April, 1979 demanding regularisation of S/Shri Umasankar and Jaishree Loading mates as Traffic Incharge in C1, Gr. II of N.C.W.A. II.

The dispute was conciliated upon by the A.L.C. (C) Chhindwara vide his file No. CHA-1(46)/79 and the dispute ended in failure.

The parties after detailed discussions decided to settle the dispute mutually and the following terms of settlement were arrived at :

TERMS OF SETTLEMENT

(1) The Management shall regularise S/Shri Umasankar and Jaishree as Traffic Incharge in Clerical Grade II of NCWA-II with effect from 1-4-1980 as it has been decided now that each production outlet have one Traffic Incharge in each shift and resulted vacancy due to promotion of Shri P. R. Singh and shifting of traffic incharge Shri R. Singh. This is being done as resultant vacancy was created after dispute was raised. Union accepted regularisation of Shri Umasankar and Jaishree shall not raise any further dispute.

(2) This settlement shall not be treated as a precedent in any other case.

Representing Workmen :

1. Sd /-

(S. S. Bharadwaj)
Secretary, MPRKKMS (INTUC)
Chandametta

2. Sd /-

(Purshuramsingh)
President, MPRKKMS (INTUC),
Branch Union, Chandametta.

Witnesses :

1. Sd./-Umashankar

2. Sd /-Illegible

Dated 13 4-1980

Representing Management :

1. Sd /-

(S. K. Sinha)
Agent, Chandametta.

2. Sd./-

(G. N. Verma)
Manager, Chandametta.

3. Sd /-

(C. L. Jaiswal)
Personnel Officer, Area Unit,
Chandametta

नई दिल्ली, 16 अक्टूबर, 1980

का० आ० 3067—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स ट्रस्टवेल इण्डस्ट्रीज, 53/54, मादावरन् हाई रोड, सेम्बियम, मद्रास-11, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1975 को प्रवत्त हुई समझी जाएगी।

[स० एस० 35019(220)/79-पी० एफ० II(1)]

New Delhi, the 16th October, 1980

का० आ० 3067.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Trustwell Industries, 53/54, Madavaram High Road, Sembiam, Madras-11, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1975.

[No S 35019(220)/79-PF II(1)]

का० आ० 3068—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स वी० एम० कारपोरेशन, हाईरजी बैंग, आैक टी० जै० रोड, सीवडी, मुम्बई-15, जिसके प्लॉटर्स 134/3, लोहार चौक, मुम्बई-2, स्थित उसकी शाखा भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अक्टूबर, 1978 को प्रवत्त हुई समझी जाएगी।

[स० एस० 35018(43)/80-पी० एफ० II]

S.O. 3068—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs V. M. Corporation, Hirji Baug, Off T. J. Road, Sewree, Bombay-15, including its branch at 134/3, Lohar Chand, Bombay-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of October, 1978.

[No. S. 35018(43)/80-PF. II]

का० आ० 3069—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स विनमार इंजीनियरिंग, प्लॉट नं०, 49 उद्यामबाग, बेलगांव, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1979 को प्रवृत्त हुई समझी जाएगी।

[स० एस० 35019(46)/80-पी० एफ० II]

S.O. 3069—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Vinmar Engineering, Plot No. 49, Udyambag, Belgaum, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of November, 1979.

[No. S. 35019(46)/80-PF. II]

का० आ० 3070—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स स्प्लॉटा०ह्लस, वैंगरी डाकघर, कालीकट-10, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1980 को प्रवत्त हुई समझी जाएगी।

[स० एस० 35019(47)/80-पी० एफ० II]

S.O. 3070.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Swaraj Textiles, Vengeri, Post Office Calicut-10, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1980.

[No. S. 35019(47)/80-PF. II]

नई विलासी, 27 अक्टूबर, 1980

का० आ० 3071.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैरास० बेलवेडेरे पेपर मिल्स लिमिटेड, 18-ए, ब्राबोर्ने रोड, कलकत्ता-1, जिसके अतिरिक्त नंगरेल, कृष्णगढ़ स्थित उमका कारखाना भी है, नामक स्थापन से मन्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर महसूत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अगस्त, 1979 को प्रवृत्त हुई समझी जाएगी।

[मं० एम० 35017(12)/80-पी०एफ० II]

New Delhi, the 27th October, 1980

S.O. 3071.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Belvedere Paper Mills Limited, 18-A Brabourne Road, Calcutta-1 including its factory at Saukrail, Howrah, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of August, 1979.

[No. S. 35017(12)/80-PF. II]

का० आ० 3072.—मैरास० वि प्रहमदावाद श्री रामकृष्ण मिल्स कम्पनी लिमिटेड ग्रीमसेपुर, अहमदाबाद, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक् शर्भिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा नियम की समूह बीमा स्कीम के अधीन जीवन बीमा के रूप में कायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से अधिक अनुकूल हैं जो प्राविकारी नियम से मन्बद्ध बीमा स्कीम, 1978 (जिसे इसके पश्चात् उक्त रकीम कहा गया है) के अधीन उन्हें अनुज्ञेय हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इसमें उपबंध अनुसूची में विविध शर्तों के अधीन रहते हुए, उक्त स्थापन को, 1 फरवरी, 1980 से 31 जूनवरी, 1982 तक उक्त स्कीम के मध्ये उपबंधों के प्रबंधन से छूट देती है।

अनुसूची

1. उक्त स्थापन के मंबंध में नियोजक प्रावेशिक भविष्य निधि आयुक्त, अहमदाबाद को ऐसी विवरणियाँ भेजेगा, ऐसे लेखा रद्देगा और निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निरिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारी का प्रयोग माम की मापदित से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की धारा 17 की उपधारा 3(क) के छण्ड (क) के अधीन निरिष्ट करें।

3. समूह बीमा स्कीम के प्रगतिसन में, जिसके अन्वर्तन लेखाओं का रखा जाता, विवरणियाँ का प्रस्तुत किया जाता, बीमा प्रीमियम का मंबंध लेखाओं का अंतरण, निरीक्षण प्रभारी का मंबंध आदि भी है, हीने बाले सभी व्ययों का बहुत नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें मंशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुश्य बालों का अनुकूल स्पष्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सदृश्य है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के मंबंध के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवास्क प्रामियम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाए जाते हैं तो, नियोजक, समूह बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में मधुत्रित रूप से वृद्धि की जाने भी अवश्य करेगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध फायदे उन कायदों में अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुदोष हैं।

7. समूह बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन मंबंध रकम उस रकम से कम है जो उस कर्मचारी की दशा में देय होती जब वह उक्त स्कीम के अधीन होता होता हो, नियोजक कर्मचारी के विविध वार्षिक/नामनिर्देशिती को प्रतिकरण के रूप में उन्होंने रकमों के अंतर के बाबत रकम का संदाय करेगा।

8. समूह बीमा स्कीम के उपबंधों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, अहमदाबाद के पूर्व अनुमोदित के बिना नहीं किया जाएगा और जहां किसा संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की मंभावना हो वहां, प्रावेशिक भविष्य निधि आयुक्त, अपना अनुमोदित देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तिसुकृत अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम का उस समूह बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले कायदे किसी रीत से कम हो जाते हैं, तो यह छूट रह कर वी जायेगी।

10. यदि किसी कारणवश, नियोजक उम नियम नारीक भीतर जो भारतीय जीवन बीमा नियम नियम करे, प्रीमियम का मंबंध करने में असफल रहता है, और पालिमी को व्यवगत हो जाने दिया जाता है, तो यह छूट रह कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के मंबंध, प्रावि में कोई व्यनिक्रम करता है तो, उन भूत सदस्यों के नाम-निर्देशितीयों या विविध वारिसों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के अन्तर्गत होने, बीमा फायदों के संदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाने किसी सदस्य की मृत्यु होने पर, उसके हृदयार नाम-निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संवाद तत्परता में और प्रत्येक दशा में भारतीय जीवन नियम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

व्याख्यातमक ज्ञापन

इस भाग में पूर्वापेक्षी प्रभाव में छूट देती आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन-पत्र को कार्रवाई पर समय लगता है। सधारित यह प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव में छूट देते से किसी के हिन पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[मा० एस-35014(16)/80 पी० एफ० II]

S.O. 3072.—Whereas Messrs The Ahmedabad Shri Ramkrishna Mills Company Limited, Gomtipur, Ahmedabad (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st February, 1980 and upto 31st January, 1982 the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Ahmedabad and, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, along with a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Ahmedabad and where any amendment is likely to effect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S. 35014(16)/80-PF. II]

का० आ० 3073.—मेहमाना डिस्ट्रिक्ट को-ऑपरेटिव मिल्क ब्रोड्यूसर्स पूर्नियन लिं. मेहमाना (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकार्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 17 की उपधारा (2क) के अधीन छूट दिया जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक् प्रभिदाय या प्रीमियम का संवाद किए बिना ही, भारतीय जीवन बीमा नियम की समूह बीमा के अधीन जीवन बीमा के रूप में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो कर्मचारी नियम में सम्बद्ध बीमा स्कीम 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन, उन्हें अनुप्रयोग हैं।

परन्तु, ब्रा०, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 17 की उपधारा (2क) हारा प्रबन्ध शक्तियों का प्रयोग करते हुए और इसमें उपावद अनुसूची में विनियोग शर्तों के अधीन रहते हुए, उक्त रथापन को, 1 मार्च, 1980 से 28 फरवरी, 1982 तक उक्त स्कीम के सभी उपबन्धों के प्रकरण से छूट देनी है।

प्रमुख सूची

1. उक्त स्थापन के संबंध में नियोजक प्रार्थित भविष्य निधि आयुक्त, अहमदाबाद को ऐसी विवरणियां भेजेगा, जैसे लेव्हा रखेगा और निरीक्षण के लिए ऐसी सुविधाएँ प्रवान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की घारा 17 की उपधारा (3क) के खण्ड (क) के अधीन निर्दिष्ट करें।

3. समूह बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखांगों का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय मेखांगों का अन्तरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी थर्यों का उच्च नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बहुसंख्या की भावा में उसकी मुख्य बातों का अनुबाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐमा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन सूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सदस्य है, उक्त स्थापन में नियाजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के सबस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बावत आशयक प्रीमियम भारतीय जीवन बीमा निगम को दृढ़ता करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध कायदे बढ़ाये जाते हैं तो, नियोजक, समूह बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध कायदों में समुचित रूप से बढ़ावा की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध कायदे उन कायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञित हैं।

7. समूह बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संदाय रकम उस रकम से कम है जो उस कर्मचारी की वज़ा में संदेय होती, जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के अंतर के बराबर रकम का संदाय करेगा।

8. समूह बीमा स्कीम में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, धरहवानावाद के पूर्व मनुभोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो यहां, प्रावेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्थाप करने का युक्तियक्त अवार देगा।

9. यदि विसि कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस समूह बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को ग्रान होने वाले कायदे किसी रैति से कम हो जाते हैं, तो यह सूट रद्द कर दी जायेगी।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असकल रहता है, और पानिसी को अव्यगत हो जाने दिया जाता है तो, सूट रद्द कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के संदाय, आदि में कोई अविकल्प करता है तो, उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों, के, जो वह सूट न दी जाने की वज़ा में उक्त स्कीम के अन्तर्गत होते, बीमा कायदों के सदाय का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर, उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

प्राविष्टिक ज्ञापन

इस मामले में पूर्वपेक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि सूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। साथापि यह प्रमाणित किया जाता है कि पूर्वपेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[संख्या एस० 35014 (20)/80-पी० एफ० II]

S.O. 3073.—Whereas Messrs Mehasana District Cooperative Milk Producers Union, Limited Mehasana, (hereinafter referred to as the said establishment), have applied for exemption under sub-section (2A) of section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st March, 1980 and upto 28th February, 1982 the said establishment from the operation of all the provisions of the said scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Ahmedabad, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charge, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable this scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employer as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Ahmedabad, and

where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the scheme are employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

[No. S. 35014(20)/80-PF. II]

कांग प्रा० 3074.—केन्द्रीय सरकार जो यह प्रतीत होता है कि ऐसे संस्थान प्लास्टिक, 118 वाडला उद्योग भवन, 8 नईबांध नाम रोड, वाडला, मुम्बई-31, जिसके अन्तर्गत गुरु निह सभा विलिंग, चित्रा सिनेमा दादर, मुम्बई-14, स्थित उसकी शास्त्रा भी है, नामक स्थापन में सम्बद्ध नियोजक बोर्ड और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध प्रधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

प्रतः, घब्र, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त प्रधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह प्रभिस्तुता 31 दिसम्बर, 1973 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018 (25)/80-पी० एफ० II]

S.O. 3074.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Indiana Plastics, 118, Wadala Udyog Bhavan, 8, Naigaon Cross Road, Wadala, Bombay-31, including its branch at Guru Singh Sabha Building Opposite Chitra Cinema Dadar, Bombay-14, have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1973.

[No. S. 35018(25)/80-PF. II]

कांग प्रा० 3075—गुजरात अलकलीज एंड केमिकल्स लिमिटेड, बड़ोदा (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) में कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध प्रधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त प्रधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट विए जाने के लिए, आवेदन किया है;

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृष्ठक अधिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन भीमा निगम की समूह भीमा स्कीम के अधीन जीवन भीमा के रूप में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों में प्रधान अनुकूल हैं जो कर्मचारी निक्षेप से सम्बद्ध भीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुज्ञय हैं;

प्रतः, घब्र, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इससे उपबंध अनुसूची में विनिष्टिकृत शतांकों के अधीन रहते हुए, उक्त स्थापन को, 1 फरवरी, 1980 से 31 जनवरी, 1982 तक उक्त स्कीम में सभी उपबंधों के प्रवर्तन से सूट देती है।

मान्यसूची

1. उक्त स्थापन के संबंध में नियोजक प्राविधिक भविष्य निधि आयुक्त, गुजरात को ऐसी विवरणियां भेजेगा, ऐसे लेखा रखेगा और निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्विष्ट करें;

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक माम की समाप्ति से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त प्रधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन निर्विष्ट करें।

3. समूह भीमा स्कीम के प्रशासन में, जिसके अस्तर्गत लेखाभारों का रखा जाना, विवरणियों का प्रस्तुत किया जाना, भीमा प्रीमियम का संदाय लेखाभारों का अंतरण, निरीक्षण प्रभारों का संदाय प्राप्ति भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह भीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बहुसंख्या की भावा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त प्रधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सदस्य है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह भीमा स्कीम के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी भावत प्रावधानक प्रीमियम भारतीय जीवन भीमा निगम को संवत्सर करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक, समूह भीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुक्ति रूप से वृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए समूह भीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से भविक अनुकूल हों, जो उक्त स्कीम के अधीन अनुज्ञय हैं।

7. समूह भीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मूल्य पर इस स्कीम के अधीन संबंध रकम उस रकम से कम है तो उस कर्मचारी की दशा में देय होती जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारियम/नामनिर्देशिती को प्रतिक्रिया के रूप में दोनों रकमों के अंतर के बराबर रकम का संबंध करेगा।

8. समूह बीमा स्कीम के उपबन्धों में कोई भी मांगोधन, प्रादेशिक भविष्य निधि आयुक्त, गुजरात के पूर्व प्रत्योदान के बिना नहीं किया जाएगा और जारी किसी संचारधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पहने की संभावना हो वहां, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुभोदन देने में पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तिगुण अवकाश देगा ।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम वी उस समूह बीमा स्कीम के, जिसे स्थापन पहले भ्रमना चूका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द कर दी जायेगी ।

10. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम वी उस समूह बीमा स्कीम के, जिसे स्थापन पहले भ्रमना चूका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रद्द कर दी जायेगी ।

11. यदि नियोजक, प्रीमियम के संदाय, आदि में कोई व्यतिक्रम करता है तो, उन मृत सदस्यों के नाम निर्देशितियों या विधिक वारिसों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के अन्तर्गत होने, बीमा फायदों के संदाय का उन्नर्दायित्य नियोजक पर होगा ।

12. उक्त स्थापन के संबंध में नियोजक, हम स्कीम के अधीन प्राप्त वाले किसी सदस्य की मृत्यु होने पर, उमरे हक्कावार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तबरता से और प्रत्येक वशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर युक्तिपूर्ण करेगा ।

व्याल्पास्तक ज्ञापन

इस मामले में पूर्वांकी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्वांकी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा ।

[मंस्ता एम० 35014/21/80- पी० एफ० II]

S.O. 3075.—Whereas Messrs Gujarat Alkalies and Chemicals Limited, Baroda (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit-linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts which effect from 1st February, 1980 and upto 31st January, 1982 the said establishment from the operation of all the provisions of the said scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, maintaining such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enroll him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance scheme appropriately, if the benefits available to the employees under the said scheme are enhanced, so that the benefits available under the Group Insurance scheme are more favourable to the employees than the benefits admissible under the said scheme.

7. Notwithstanding any thing contained in the Group Insurance scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

EXPLANATORY MEMORANDUM

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

कांग आ० 3076.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पावर सिस्टम इंजीनियर्स, 4 ए, स्मिथ रोड, मद्रास-2 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(21)/80 पी० एफ०-II]

S.O. 3076.—Whereas it appears to the Central Government that the employer and the majority of the employee in relation to the establishment known as Messrs Power System Engineers 4A Smith Road, Madras-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1977.

[No. S. 35019(21)/80-PF. II]

कांग आ० 3077.—मैसर्स प्रिसिस्टम विएरिंग इण्डिया लिमिटेड, मेज़ा, बड़ीदा (जिसे इसमें इसके पश्चात उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध अधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है; की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक अभियाय या श्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा निगम की समूह बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उक्त फायदों से अधिक अनुकूल हैं जो कर्मचारी निषेप से सम्बन्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात उक्त स्कीम कहा गया है) के अधीन उन्हें प्रदत्त हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए और इससे उपायदृ अनुसूची में विविध शर्तों के अधीन रहते हुए, उक्त स्थापन को 1 मार्च, 1980 से 28 फरवरी, 1982 तक उक्त स्कीम के सभी उपबन्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रावेशिक भविष्य निधि आयुक्त, गुजरात को ऐसी विवरणियां भेजेगा, ऐसे लेका रखेगा और निरीक्षण के लिए ऐसी मुद्रित अपाराधिक विवरण करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की धारा 17 की उपधारा (3क) के खण्ड (क) के अधीन निर्दिष्ट करें।

3. समूह बीमा स्कीम के प्रशासन में, जिसके प्रत्यागत लेखांगों का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा श्रीमियम का संदाय, लेखांगों का अंतरण, निरीक्षण प्रभारों का संदाय आदि भी है, होने वाले सभी व्ययों का अहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बहुसंख्या की भाषा में उसकी मुख्य बातों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सबस्थ है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के सदस्य के रूप में उसका नाम तुरल्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे उठाये जाने हैं तो, नियोजक, समूह बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से बृद्धि की जाने की व्यवस्था करेगा जिससे कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुमोद्य हैं।

7. समूह बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संवेद्य रकम उस रकम से कम है जो उस कर्मचारी की दशा में देय होनी जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती की प्रतिक्रिया के रूप में दोनों रकमों के अंतर के बराबर रकम का संदाय करेगा।

8. समूह बीमा स्कीम के उपबन्धों में कोई भी संशोधन, प्रारेषिक भविष्य निधि आयुक्त, गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ो की संभावना हो वहां, प्रारेषिक भविष्य निधि आयुक्त, प्रपत्ता अनुमोदन देने से पूर्व कर्मचारियों को प्रपत्ता दृष्टिकोण स्पष्ट करने का युक्तियुक्त प्रबसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस समूह बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रह कर दी जाएगी।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियन करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को अवगत हो जाने दिया जाता है तो, छूट रह कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के संदाय, आदि में कोई व्यतिक्रम करता है तो, उस मूल संवेद्यों के नाम निर्देशितियों या विधिक वारिसों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के प्रत्यागत होते, बीमा फायदों के संदाय का उत्तरवायित नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी संवेद्य की मृत्यु होने पर, उसके हक्कार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संदाय तत्परता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

धारायात्मक ज्ञापन

इस मामले में पूर्वाधी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्वाधी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[संव्या एम० 35014/29/80-पी०एफ०२]

S.O. 3077.—Whereas Messrs Precision Bearings India Limited, Maneja Baroda (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st March, 1980 and upto 28th Feb. 82 the said establishment from the operation of all the provisions of the Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of such-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominees or legal heirs of deceased members who would have been covered under the said scheme for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of any body adversely.

[No. S. 35014(29)/80-PF. II]

का० आ० 3078.—गुजरात स्टेट फटिलाइजसै कम्पनी लिमिटेड, फटिलाइजर नगर, जिला बड़ोदा, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपचार अधिनियम, 1952 (1952 का 19), (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक प्रभिदाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा नियम की समृद्ध बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से प्रधिक अनुकूल हैं जो कर्मचारी निष्क्रिय से सम्बन्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उहें प्रभावी हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए और इससे उपचार अनुसूची में विवरित शर्तों के अधीन रहते हुए, उक्त स्थापन को, 1 मार्च, 1980 से 28 फरवरी, 1982 तक उक्त स्कीम के सभी उपचारों के प्रबंधन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रावेशिक भविष्य निधि प्रायुक्त, गुजरात को ऐसी विवरणियाँ भेजेगा, ऐसे लेखा रखेगा और निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे;

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की धारा 17 की उपधारा (3क) के छप्पन (क) के अधीन निर्विट करें।

3. समृद्ध बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय, लेखाओं का अंतरण, निरीक्षण प्रभारों का संदाय प्राप्त भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा प्रनमोदित समृद्ध बीमा स्कीम के नियमों की एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बहुसंख्या की मात्रा में उसकी मुख्य भारतों का अनुबाद, स्थापन के सूचना-पट्ट पर प्रदर्शित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के प्रधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सदस्य है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के भवस्य के रूप में उसका नाम तुरन्त बद्ध करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संवत करेगा।

6. यदि उक्त स्कीम के प्रधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक, समूह बीमा स्कीम के प्रधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से बढ़िया जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के प्रधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के प्रधीन अनुरोध हैं।

7. समूह बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के प्रधीन संदेश रकम उस रकम से कम है तो उस कर्मचारी की बाबत में देय होती जब वह उक्त स्कीम के प्रधीन होता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशिती को प्रतिकर के रूप में दोनों रकमों के बीच बाराबर रकम का संवाय करेगा।

8. समूह बीमा स्कीम के उपबाध्यों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, गुजरात के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहां किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभावना हो वहां, प्रावेशिक भविष्य निधि आयुक्त, संपत्ति अनुमोदन देने से पूर्व कर्मचारियों को अपना वृष्टिकाण स्पष्ट करते का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उस समूह बीमा स्कीम के, जिसे स्थापन पहले अपना चुना है प्रधीन नहीं रह जाते हैं, या इस स्कीम के प्रधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो वह छूट रद्द कर दी जायेगी।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संवाय करने में असफल रहता है, और पालिसी को व्यवस्था हो जाने किया जाता है, तो, छूट रद्द कर दी जायेगी।

11. यदि नियोजक, प्रीमियम के संवाय, आदि में कोई व्यतिक्रम करता है तो, उन भूत सदस्यों के बाम निर्देशितियों या विधिक वारिसों के, जो वह छूट में जाते की बाबत में उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संवाय का उत्तरवायित नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के प्रधीन आने वाले किसी सदस्य की मृत्यु होने पर, उसके हकदार नाम निर्देशितियों/विधिक वारिसों को बीमाकृत रकम का संवाय तत्परता से और प्रत्येक दशा में भारतीय जीवन निगम से बीमाकृत रकम प्राप्त होने से सात दिन के भीतर सुनिश्चित करेगा।

स्थापनात्मक आपात

इस मामले में पूर्विकी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्विकी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[संख्या एस० 35014/33/80-पी० एफ०-2]

S.O. 3078.—Whereas Messrs Gujarat State Fertilizers Company Limited, Fertilizer Nagar, District Baroda (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the schedule annexed hereto, the Central Government hereby exempts with effect from 1st March 1980 and upto 28th February, 1982 the said establishment from the operation of all the provisions of the said scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said scheme.

7. Notwithstanding any thing contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this scheme be less than the amount that would be payable had employee been covered under the said scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the Provisions of the Group Insurance scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased

members who would have been covered under the said scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S. 35014/33/80-PF. II]

का० आ० 3079—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स साइंटिफिक फार्मसी, 19-20, नवयुग इण्डस्ट्रियल इस्टेट, धीराज पेन कंपाउंड, अंधेरी कुर्ला रोड, मुम्बई-59 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 1 अप्रैल, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35018(39)/80-पी० एफ० II]

S.O. 3079.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Scientific Pharmacy, 19-20, Navyog Industrial Estate, Dhiraj Pen Compound, Andheri-Kurla Road, Bombay-59 have agreed that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1979.

[No. S. 35018(39)/80-PF. II]

का० आ० 3080—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स मल्टी प्रिंटर्स, धन सिंह प्रोसेस कंपाउंड, गली वजीर ग्लास बड़सी अंधेरी-कुर्ला रोड, जे० बी० नगर, मुम्बई-59, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों को बहु संख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 1 अगस्त, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एम०-35018(40)/80-पी० एफ० II]

S.O. 3080.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Multiprinters, Dhana Singh Processors Compound, Gali Wazir Glass Works, Andheri-Kurla Road, J. B. Nagar, Bombay-59, have agreed

that the provisions of the Employees Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first of August, 1978.

[No. S. 35018(40)/80-PF. II]

का० आ० 3081.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम० कंपोनेंट्स, मूनाइटेड इण्डस्ट्रियल इस्टेट शंकनगर, वकोला, पाइप लाइन, सांताकुज (पूर्व), मुम्बई-55, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 31 अक्टूबर, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(41)/80-पी० एफ० II]

S.O. 3081.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Ace Components, United Industrial Estate Shamknagar, Vakola Pipe Line, Santaquiz (East), Bombay-55, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment;

This notification shall be deemed to have come into force on the thirty first day of October, 1977.

[No. S. 35018(40)/80-PF. II]

का० आ० 3082.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टेक्नो इंजीनियर्स, 1325/1-ए(4) शिवाजी उद्यमनगर, कोल्हापुर-1, जिसके घराने 1408, सी, लक्ष्मीपुर-2, स्थित उसका सुख्यालय भी है, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबन्ध प्रधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त प्रधिनियम की धारा 1 की उपधारा (4) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त प्रधिनियम के उपबन्ध उक्त स्थापन को लागू करती है।

यह प्रधिसूचना 1 जून, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35018(42)/80-पी० एफ० III]

S.O. 3082.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Tekno Engineers, 1325/1-A(4)/Shivaji Udyamnagar, Kolhapur-1, including its Headquarters at 1408, C, Laxmipur, Kolhapur-2, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1979.

[No. S. 35018(42)/80-PF. II]

का० आ० 3083.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स राजामणि सिल्क फैक्ट्री, 228, मार्केट रोड, गर्नी, उत्तरी आर्केट जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध भविष्य नियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 अक्टूबर, 1978 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(43)/80-पी० एफ० II]

S.O. 3083.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Rajamani Silk Factory, 228, Market Road, Arai, North Areet District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1978.

[No. S. 35019(43)/80-PF. II]

का० आ० 3084.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स धर्मदीपि फैंड्रिप्प व्हार्लस, अल्वेय-683101, अल्वेय ग्राम, अल्वेय तालुक, एरनकुलम जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 मार्च, 1980 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(44)/80-पी० एफ० II]

S.O. 3084.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Dharmadeepi, Friendship House, Alwaye-683101, Alwaye Village, Alwaye Taluk, Ernakulam District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) should be made applicable to the said establishment.

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1980.

[No. S. 35019(44)/80-PF. II]

का० आ० 3085.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स टेक्नो सेटर, बी-224, पीन्या इंडस्ट्रीज इस्टेट, बंगलोर-58, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध भविष्य नियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1980 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(48)/80-पी० एफ० II]

S.O. 3085.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Techno Centre, B-224, Peenya Industries Estate, Bangalore-58, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment;

This notification shall be deemed to have come into force on the first day of January, 1980.

[No. S. 35019(48)/80-PF. II]

का० आ० 3086.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स नियो फाइनेंस एण्ड चिट फंड्स (प्राइवेट) लिमिटेड, 80, पीटर्स रोड, मद्रास-14, जिसके अर्कान (1) 8-4-188, गांधी चौक, खम्माम (आन्ध्र प्रदेश), (2) पोस्ट बॉक्स सं० 52, काकिदा-1 (आन्ध्र प्रदेश), (3) 3-1-67/5, मुख्यालय, इन्दूखा (आन्ध्र प्रदेश), (4) 2-3-342, बस स्टेशन के मामने, पी० पी० रोड, भीमवरम-2 (आन्ध्र प्रदेश), (5) बड़ा बाजार, बेरहामपुर-2 (उडीसा), (6) तीनकोलिया बगीचा, कटक-I (उडीसा) (7) 19-सी, ट्रक रोड, नेलोर (आन्ध्र प्रदेश) (8) नाज चिल्हन्स, गुंटूर-1 (आन्ध्र प्रदेश) (9) 5-9-236/2, इमरी मंजिल, अबीदोड़, हैवराबाद-1 (आन्ध्र प्रदेश), (10) 21-1-63, 64 पहली मंजिल, अद्वृत, रहमान स्ट्रीट, गुवाहाटी, असम, अनोनोले-1 (आन्ध्र प्रदेश) (11) 27-14-62, राजा गोपालचारी स्ट्रीट, गवर्नरेट-विजय-बाड़ा-2 और (12) 12-4-12, असमरा रोड, बिश्बाकापतनम-2 (आन्ध्र प्रदेश) स्थित उमकी गांवांमी भी हैं, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1980 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(49)/80-पी० एफ० II]

S.O. 3086.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as the Lee Finance and Chit Funds (Private) Limited, 80, Peters Road, Madras-14 including its branches at (1) 8-4-188, Gandhi Chowk, Khammam (Andhra Pradesh), (2) Post Box No. 52, Kakinada-1 (Andhra Pradesh), (3) 3-A1-67/2, Main Bazar, Eluru-1 (Andhra Pradesh), (4) 2-3-342, Opposite Bus Stand, P. P. Road, Bhimavaram-2 (Andhra Pradesh), (5) Big Bazar, Berhampur-2 (Orissa), (6) Tinkonia Bagicha, Cuttack-1 (Orissa), (7) 19-C, Trunk Road, Nellore (Andhra Pradesh), (8) Naaz Buildings, Cuntur-1 (Andhra Pradesh), (9) 5-9-236/2, 2nd Floor, Ajid Road, Hyderabad-1 (Andhra Pradesh)

desh). (10) 21-1-63, 64, 1st Floor, Abdul Rahman Street, Ganuga Palam, Trunk Road, Ongole-1 (Andhra Pradesh), (11) 27-14-62, Rajagopalachari Street, Governerpet, Vijayawada-2 and (12) 12-4-12, Apsara Road, Vishakapatnam-2 (Andhra Pradesh) have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1978.

[No. S. 35019(49)/80-PF. II]

का० आ० 3087.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेसैं जिल एडुकेशन सोसाइटी, 16, केंद्रीय ट्रूपर रोड, बंगलौर-75, नामक स्थापन से सम्बद्ध नियोजक और कमंचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कमंचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, प्रब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 अगस्त, 1979 को प्रवृत्त हुई समझी जाएगी।

[एस०-35019/50/80-पी० एफ०-2]

S.O. 3087.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Jindal Education Society, 16, K. M. Tunkur Road, Bangalore-75, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of August, 1979.

[No. S. 35019(50)/80-PF. II]

का० आ० 3088.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेसैं धरपर्वीनेवु कोप्रॉपरेटिव मिल्स सप्लाई सोसाइटी लिमिटेड, सी-2030, काटपवी, उत्तरी आकोट जिला, नामक स्थापन से सम्बद्ध नियोजक और कमंचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कमंचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, प्रब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1978 को प्रवृत्त हुई समझी जाएगी।

[मं० एस०-35019/51/80-पी० एफ०-2]

S.O. 3088.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Dharampadavu Co-operative Milk Supply Society Limited, C-2030, Kattipadi, North Areet District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1978.

[No. S. 35019(51)/80-PF. II]

का० आ० 3089.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेसैं देवी सिल्क फैब्रिटरी, ओ१, रामाकृष्णपेट, एन्डी, उत्तरी आकोट जिला, नामक स्थापन से सम्बद्ध नियोजक और कमंचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कमंचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, प्रब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जनवरी, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019/52/80-पी० एफ०-2]

S.O. 3089.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Devi Silk Factory, O/1, Ramakrishnapet Arni, North Arest District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of January, 1979.

[No. S. 35019(52)/80-PF. II]

का० आ० 3090.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसेसैं रम्जी इंडस्ट्रियल इस्टेट, इट्टुमानूर, कोट्टयम, केरल, नामक स्थापन से सम्बद्ध नियोजक और कमंचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कमंचारी भविष्य निधि और प्रकीर्ण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, प्रब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 जुलाई, 1980 को प्रवृत्त हुई समझी जाएगी।

[सं० एस०-35019/53/80-पी० एफ०-2]

S.O. 3090.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. City Rubbers, Industrial Estate, Ettumanoor, Kottayam, Kerala, have agreed that the Provisions of the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1980.

[No. S. 35019(53)/80-PF. II]

का० आ० 3091.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स यूनाइटेड ब्लू प्राइडट्स, चेन्नैपुर, फेर्के डाकघर, चेन्नैपुर ग्राम, कालीकट तालुक और जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबंध अधिनियम, 1952 (1952 का 19) के उपर्यंथ उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपर्यंथ उक्त स्थापन को लागू करती है।

यह अधिसूचना 31 दिसंबर, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(54)/80-पी० एफ० II]

S.O. 3091.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. United Weed Products, Cheruvannur, Ferke Post Office, Cheruvannur Village, Calicut Taluk and District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1979.

[No. S. 35019(54)/80-PF. II]

का० आ० 3092.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जेसेस ट्रूस फार्नेस कारपोरेशन, रानींजल, सिक्किमराबाद, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबंध अधिनियम, 1952 (1952 का 19) के उपर्यंथ उक्त स्थापन को लागू किए जाने चाहिए।

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, उक्त अधिनियम के उपर्यंथ उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मार्च, 1980 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० 35019(55)/80-पी० एफ० II]

S.O. 3092.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Jesons Tubes Corporation, Raniganj, Secunderabad, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1980.

[No. S. 35019(55)/80-PF. II]

का० आ० 3093.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लक्ष्मी डाकिङ्स, कांचीगूरम, विंगलपुट जिला, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबंध अधिनियम, 1952 (1952 का 19) के उपर्यंथ उक्त स्थापन का लागू किए जाने चाहिए,

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अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, उक्त अधिनियम के उपर्यंथ उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 मई, 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35019(56)/80-पी० एफ० II]

S.O. 3093.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Lakshmi Talkies, Kanchipuram, Chengleput District, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1977.

[No. S. 35019(56)/80-PF. II]

का० आ० 3094.—केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स फर्नेस कार्पोरेशन, 45, एम्पायर इंस्टेट, कोंडिविटा रोड, मंदीरी मुर्ली गोड, मुम्बई-59, नामक स्थापन मे सम्बद्ध नियोजक और कर्मचारियों को बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रक्रीय उपबंध अधिनियम, 1952 (1952 का 19) के उपर्यंथ उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, उक्त अधिनियम के उपर्यंथ उक्त स्थापन को लागू करती है।

यह अधिसूचना 1 दिसंबर, 1976 को प्रवृत्त हुई समझी जाएगी।

[सं० एस० 35018(105)/79-पी० एफ० II]

S.O. 3094.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Furnace Corporation, 45, Empire Estate, Kondivila Road, Andheri-Kurla Road, Bombay-59, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of December, 1976.

[No. S. 35018(105)/79-PF. II]

का० आ० 3095—भारत कामसे एण्ड इण्डस्ट्रीज लिमिटेड, डाकभाना, बिरलागूम, नागवा, मध्य प्रदेश, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रक्रीय उपबंध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की वार्ग 17 की उपधारा (2क) के अधीन एक दिन जाने के लिए आवेदन किया है।

ग्राहक केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक ग्रभिताय या ग्रीष्मियम का संशाल नहीं विना ही, भारतीय जीवन बीमा निगम की समूह बीमा स्कीम के अधीन जीवन बीमा के रूप में कायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कायदे उन कायदों से अतिक्रम प्रत्युकूल हैं जो कर्मचारी निक्षेप से सम्बद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुमेय हैं।

प्रतः, प्रदृश, केन्द्रीय सरकार, उक्त अधिनियम की घारा 17 की उपाधा (ग) वाला प्रश्नन संस्थानों का प्रयोग करते हुए और इससे उपाधन त्रुटी में विद्युति गती के प्रधीन रहते हुए, उक्त स्थापन को 1 जनवरी, 1980 से 31 दिसंबर, 1982 तक उक्त स्कीम के सभी उपाध्यों के प्रधीन से छूट देती है।

अमृतसूची

1. उक्त स्थापन के संबंध में नियोजक प्रादेशिक भवित्व निधि आयुक्त मामले प्रदेश को ऐसी विवरणियां देंगे, ऐसे लेखा रखेंगा और निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेंगे जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करे।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भोले संबंध करेंगे जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की घारा 17 की उपाधा 3(क) के बाह्य (क) के प्रधीन निर्दिष्ट करे।

3. मृदू बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत नेतृत्वों का रखा जाता, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संदाय सेवाओं का अंतर्णा, निरीक्षण प्रभारों का संबंध आदि भी है, होने वाले सभी ध्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों पर एक प्रति, और जब कभी उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति नया कर्मचारियों की बहुमंड्या की आगा में उपरोक्त मुक्त बातों का अनुचाव, स्थापन के मूलना-प्रृष्ठ पर प्रदर्शित करेंगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भवित्व निधि का या उक्त अधिनियम के प्रधीन छूट प्राप्त किसी स्थापन की भवित्व निधि का पहले से मदस्य है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के सम्बन्ध के रूप में उसका नाम तरन्त दर्ज करेंगा और उसकी आवृत्त यावद्यक प्रीमियम भारतीय बीमा नियम को संबल्ल करेंगा।

6. यदि उक्त स्कीम के प्रधीन कर्मचारियों को उपलब्ध फायदे द्याये जाते हैं जो, नियोजक, समूह बीमा स्कीम के प्रधीन कर्मचारियों की उपलब्ध पर्यायों में मनुषिक रूप से दृष्टि की जाने की अवस्था करेंगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के प्रधीन उपलब्ध फायदे उन कायदों से अधिक अनुकूल हों, जो उक्त स्कीम के प्रधीन अनुरेत हैं।

7. समूह बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की मृदू पर इस स्कीम के प्रधीन मरेय रकम उग रकम में कम है जो उस कर्मचारी की दशा में मंवेय होती जब उक्त स्कीम के प्रधीन होता तो, नियोजक कर्मचारी के विशिक वारिस/नामनिर्दिशी को प्रतिक्रिया के रूप में शेषी रकमों के अन्तर के बाबत रकम का संबंध करेंगा।

8. गमूह बीमा स्कीम के उपबन्धों में गोई भी नंगोमन, प्रावेशिक भवित्व निधि आयुक्त, मध्य प्रदेश के पूर्व गमूहोदान के विना नहीं किया जाएगा और जहां किसी संशोधन में कर्मचारियों के हित पर प्रतिकूल प्रभाव पहले की संभावना हो यहां, प्रावेशिक भवित्व निधि आयुक्त, गमना गमूहोदान देने से पूर्व कर्मचारियों को गमना दृष्टिकोण स्पष्ट करने का युक्तियुक्त अक्षमर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा नियम की उम मृदू बीमा स्कीम के, जिसे स्थापन पहले गमना चुका है प्रधीन नहीं रह जाते हैं, या इस स्कीम के प्रधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीत से कम हो जाते हैं, तो यह छूट रह करी जायेगा।

10. यदि किसी कारणवश, नियोजक उम नियम नालिक के भीतर जो भारतीय बीमा नियम नियत करे, प्रीमियम का संबंध करने में असफल रहता है, और पालिसी को व्यवस्था हो जाने दिया जाता है तो, छूट रह कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के संदाय, आवि में कोई व्यतिक्रम करता है तो, उन मृदू सदस्यों के नाम निर्देशितियों या विशिक बास्सों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के ग्राहक होते, बीमा कायदों के संबंध का उल्लंघनप्रत्यक्ष नियोजक पर होता।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के प्रधीन आवि थाले किसी सदस्य की मृदू होने पर, उसके हकदार नाम निर्देशितियों/विशिक बास्सों को बीमाकृत रकम का संदाय नत्यरता से और प्रतोक व्यय में भारतीय जीवन नियम से बीमाकृत रकम प्राप्त होने के साथ बिल के भीतर सुनिश्चित करेगा।

व्याख्यात्मक ज्ञापन

इस मामले में पूर्वप्रिक्षी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगता। तथापि यह प्रमाणित किया जाता है कि पूर्वप्रिक्षी प्रभाव में छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[नं० एस०-35014/106/80-पी० एस०-2]

S.O. 3095.—Whereas Messrs Bharat Commerce and Industries Limited, P.O. Birla Gram Nagada, Madhya Pradesh (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st January, 1980 and upto 31st December, 1982 the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Madhya Pradesh, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts, submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, along with a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Madhya Pradesh and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee/legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will no affect the interest of anybody adversely.

[No. S-35014/106/80-P.F.I]

का० छा० 3096--मैमर्न पंजाब ग्रान्टन्द बैट्रीज लिमिटेड, मोहल्ली, पंजाब (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भवित्व निधि और प्रकीर्ण उपलब्ध प्रधिनियम, 1952 (1952 का 19) (जिसे इसके पश्चात् उक्त प्रधिनियम कहा गया है) की धारा 17 की उपधारा (2क) के अधीन सूट लिए जाने के लिए प्रावेदन किया है।

ओर केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक प्रभित्व या प्रीमियम का गंवाय किए बिना ही, भारतीय जीवन बीमा नियम के अधीन जीवन बीमा के स्पष्ट में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से भ्रष्टिक अनुकूल हैं जो कर्मचारी नियम से सम्बद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें प्रदूःख्य हैं;

अतः, अब, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 17 का उपाधार (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और इसमें उपाधार अनुसूची में विविध शर्तों के अधीन गहरे हुए, उक्त स्थापन को, 1 अगस्त, 1979 से 31 जुलाई, 1982 तक उक्त स्कीम के सभी उपलब्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रावेशिक भवित्व निधि आयुक्त, पंजाब को ऐसी विवरणियां देंगे, ऐसे लेखा रखेंगा और निरीक्षण के लिए ऐसी सुविधाएँ प्रदान करेंगा जो केन्द्रीय सरकार, समय-समय पर निर्दिष्ट करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों को प्रत्येक मास की समाप्ति में 15 दिन के भीतर संदाय करेंगा जो केन्द्रीय सरकार, समय-समय पर उक्त प्रधिनियम की धारा 17 की उपधारा (2क) के लिए (क) के प्रधीन निर्दिष्ट करें।

3. समूह बीमा स्कीम के प्रशासन में, जिसके अस्तर्गत लेखाओं का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्राप्तियम का संदाय लेखाओं का गंवाय, निरीक्षण प्रभारों का गंवाय आदि भी है, होने वाले मर्मी आयों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों को एक प्रति, और जश कसी उनमें संशोधन किया जाए तब उम संशोधन की एक प्रति तथा कर्मचारियों की वृद्धिसंख्या की आपाय में उसकी मुल्य आलों का अनुबाद, स्थापन के सूचना-पट्ट पर प्रस्तुत करेंगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भवित्व निधि का या उक्त प्रधिनियम के प्रधीन सूट प्राप्त किसी स्थापन की भवित्व निधि का पहल में सदस्य है उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के मरम्य के रूप में उसका नाम तुरल दर्ज करेगा और उसकी बाबत प्रश्नक प्राप्तियम भारतीय जीवन बीमा नियम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बहाये जाते हैं तो, नियोजक, समूह बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समूचित रूप में बहिर्भूत का जाने का विवरण करेगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों गे भ्रष्टिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुसूचित हैं।

7. समूह बीमा स्कीम में किसी बात के होने हुए भी, यदि किसी कर्मचारी की भयुपर पर इस स्कीम के अधीन संदेश रकम उस रकम से कम हो तो उस कर्मचारी पर इसमें संदेश होनी जब वह उक्त स्कीम के अधीन होता तो, नियोजक कर्मचारी के विविध वारिस/तमनिर्विशेषी को प्रतिकर के रूप में दोनों रकमों के अंतर के बाबत रकम का संदेश करेगा।

8. समूह बीमा स्कीम के उपलब्धों में कोई भी संशोधन, प्रावेशिक भवित्व निधि आयुक्त, पंजाब के पूर्व अनुबोदन के बिना नहीं किया जाएगा और जहा किसी मंशाधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ने की संभवता हो वहा, प्रावेशिक भवित्व निधि आयुक्त, अपना अनुबोदन देने से पूर्व कर्मचारियों को अपना दूषित्कोण स्पष्ट करते का मुक्तिमुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थित के कर्मचारी, भारतीय जीवन बीमा नियम की उम समूह बीमा स्कीम के, जिसे स्थापन पहले अपना भासा है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों की प्राप्त स्पष्ट जाने फायदे किसी रीति से कम हो जाते हैं, तो यह सूट रद कर दी जाएगी।

10. यदि किसी कारणवश, नियोजक उम तिथि तारीख के भीतर जो भारतीय जीवन बीमा नियम नियत करे, प्रीमियम का संदेश करते में असफल रहता है, और पालिसी को अपग्रेड ही जाने दिया जाता है तो, यह सूट रद कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के संदेश, आदि में कोई अतिक्रम करता है तो, उन सूट सदस्यों के नाम निर्दिष्टियों या विविध वारिसों के, और वह सूट न दे जाने की दशा में उक्त स्कीम के अन्तर्गत होते, बीमा कार्यालयों के संदेश का उत्तरदायित्व नियोजक पर होगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर, उसके हक्कदार नाम निर्देशितियों विधिक बारसों को बीमाकृत रकम का संदाय तत्पत्रता से प्राप्त ग्रन्थीक दण्ड में भारतीय जीवन नियम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

व्यावसायिक स्थापन

इस मामले में पूर्विकी प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्विकी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं. एस. 35014/108/80-पी. एफ. II]

S.O. 3096.—Whereas Messrs Punjab Anand Batteries Limited Mohali, Punjab, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st August, 79 and upto 31st July, 82 the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Punjab, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Punjab and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominees or legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not effect the interest of anybody adversely.

[No. S. 35014/108/80-PF.II]

का० आ० 3097.—मैरेस उक्त इण्डस्ट्रीज, फोर्ज एन्ड ब्लोपर कम्पनी प्रेमिसेज बरोडा रोड अहमदाबाद, (जिसे इसमें इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि प्राप्ति के लिए और प्रकीर्ण उपचान्त्र प्रधिनियम, 1952 (1952 का 19) जिसे इसमें इसके पश्चात् उक्त प्रधिनियम कहा गया है की धारा 17 की उपधारा (2क) के अधीन छूट दिए जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक अधिमाय या प्रीमियम का संदाय किए बिना ही, भारतीय जीवन बीमा नियम की ममूल बीमा स्कीम के अधीन जीवन बीमा के रूप में फायदा उठा रहे हैं और ऐसे कर्मचारियों के लिए ये फायदे उन फायदों से अधिक अनुकूल हैं जो बर्मचारी नियम से मंददृ बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के अधीन उन्हें अनुरूप हैं;

प्रतः, धब्ब, केन्द्रीय सरकार, उक्त प्रधिनियम की धारा 17 की उपधारा (2क) द्वारा प्रदत्त शक्तियों का प्रयोग करके हुए और इससे उपायदृ प्रन्तुरूपी में विनियिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 1 मार्च, 1980 से 28 फरवरी, 1982 तक उक्त स्कीम के अधीन उपचान्त्रों के प्रदर्शन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रावेशिक भविष्य निधि आयुक्त, गुजरात को ऐसी विवरणियां भेजेगा, ऐसे लेखा रखेगा और निरीक्षण के लिए ऐसी सुविधाएं प्रदान करेगा जो केन्द्रीय सरकार, समय-समय पर नियिष्ट करें;

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भीतर संदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त प्रधिनियम की धारा 17 की उपधारा (3क) के अधीन नियिष्ट करें।

3. समूह बीमा स्कीम के प्रशासन में, जिसके अन्तर्गत लेखाओं का रखा जाता, विवरणियों का प्रस्तुत किया जाता, बीमा प्रीमियम का संदर्भ लेखाओं का अंतरण, निरीक्षण प्रभारों का सदाय भादि भी है, हाँ तो वाले सभी व्ययों का वहन नियोजक बारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यथा अनुमोदित समूह बीमा स्कीम के नियमों की एक प्रति और जब वही उनमें संशोधन किया जाए तब उस संशोधन की एक प्रति तथा कर्मचारियों की बदुसंख्या की भाषा में उसकी मूल्य बासों का अनुवाद, स्थापन के सूचना-पट्ट पर प्रवर्णित करेगा।

5. यदि कोई ऐसा कर्मचारी, जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सदस्य है, उक्त स्थापन में नियोजित किया जाता है तो, नियोजक, समूह बीमा स्कीम के सदस्य के सदस्य के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बाबत आवश्यक प्रीमियम भारतीय जीवन बीमा निगम को संदर्भ करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक, गमूह बीमा स्कीम के अधीन कर्मचारियों का उपलब्ध फायदों में समुचित रूप से बृद्धि की जाने की व्यवस्था करेगा जिससे कि कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुरूप हैं।

7. समूह बीमा स्कीम में किसी बात के हांगे हूए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन संरेख रकम उस रकम से कम है जो उस कर्मचारी की दशा में संदेश होती जब वह उक्त स्कीम के अधीन हाता तो, नियोजक कर्मचारी के विधिक वारिस/नामनिर्देशितों को प्रतिकार के रूप में दोनों रकमों के अंतर के बराबर रकम का संदाय करेगा।

8. समूह बीमा स्कीम के उपलब्धों में कोई भी संशोधन, प्रादेशिक भविष्य निधि आयुक्त, गुजरात के पूर्व अनुमोदन के बिना मही किया जाएगा और जहाँ किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पड़ते की संभावना हो वहाँ, प्रादेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्थिर करने का युक्तियुक्त अवसर देगा।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उम समूह बीमा स्कीम के, जिसे स्थापन पहले आगता चुका है अधीन नहीं रह जाते हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द कर दी जाएगी।

10. यदि किसी कारणवश, नियोजक उम नियत नारीब के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पानिसी को व्ययगत हो जाने दिया जाता है तो, छूट रद्द कर दी जाएगी।

11. यदि नियोजक, प्रीमियम के संदाय, आदि में कोई अविकल्प करता है तो, उन मूल सदस्यों के नामनिर्देशितों या विधिक वारिसों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के संदाय का उत्तरदायिक नियोजक पर होगा*।

12. उक्त स्थापन के संबंध में नियोजक, हम स्कीम के अधीन आने वाले किसी सदस्य की मृत्यु होने पर, उसके हक्कदार नामनिर्देशितों/विधिक वारिसों को बीमाहृत रकम का संदाय तत्परता से और प्रयोक दशा में भारतीय जीवन निगम से बीमाहृत रकम प्राप्त होने के सात दिन के भीतर मुनिष्वित करेगा।

व्यावसायिक ज्ञापन

इस मामले में पूर्वपिती प्रभाव से छूट देनी आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन-पत्र की कार्रवाई पर समय लगा। तथापि यह प्रामाणित किया जाता है कि पूर्वपिती प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं. एम. 35014(109)/80-पी० एफ० II

S.O. 3097.—Whereas Messrs Uday Industries, Forge and Blower Company Premises, Naroda Road, Ahmedabad, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life Insurance which are more favourable to such employees than the benefits admissible under the Employees' Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st March, 1980 and upto 28th February, 1982, the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Gujarat, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display, on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Gujarat, and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of assurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S-35014/109/80-PF.II]

का० आ० 3098 -- मैरम् एन० य० एक लालजी भाई जीवराम मज्जर, द्वारा कोर्जे प०४७ ब्लॉकर कम्पनी प्रेमिमेज, नोडा रोड, अहमदाबाद, (जिसे इसके पश्चात् उक्त स्थापन कहा गया है) ने कर्मचारी भविष्य निधि और प्रकीर्ण उपलब्ध अधिनियम, 1952 (1952 का 19) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 17 की उपशारा (2क) के अधीन छूट दिया जाने के लिए आवेदन किया है।

और केन्द्रीय सरकार का समाधान हो गया है कि उक्त स्थापन के कर्मचारी, कोई पृथक अधिवाय या प्रीमियम का सवाय किए जिन ही, भारतीय जीवन बीमा निगम की समूह बीमा स्कीम के अधीन जीवन बीमा के रूप में कारबंदी उठा रहे हैं और ऐसे कर्मचारियों के लिए ये कारबंदी उक्त कायदों से प्रधान अनुकूल है जो कर्मचारी निक्षेप से सम्बद्ध बीमा स्कीम, 1976 (जिसे इसमें इसके पश्चात् उक्त स्कीम कहा गया है) के प्रधीन उत्तर्व अनुरूप हैं;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 17 की उपशारा (2क) द्वारा प्रदत्त शर्तियों का प्रयोग करते हुए और इसमें जपावद अनुरूपी में विनिष्ट शर्तों के अधीन रहते हुए, उक्त स्थापन को, 1 मार्च 1980 से 28 फरवरी, 1982 तक उक्त स्कीम के सभी उपलब्धों के प्रवर्तन से छूट देती है।

अनुसूची

1. उक्त स्थापन के संबंध में नियोजक प्रावेशित भविष्य निधि आयुक्त, अहमदाबाद को ऐसी विवरणियां भेजेगा, ऐसे सेवा रखेगा और निरीक्षण के लिए ऐसी सुविधाएँ प्रवान करेगा जो केन्द्रीय सरकार, समय-समय पर निष्ठित करें।

2. नियोजक, ऐसे निरीक्षण प्रभारों का प्रत्येक मास की समाप्ति से 15 दिन के भीतर सदाय करेगा जो केन्द्रीय सरकार, समय-समय पर उक्त अधिनियम की धारा 17 की उपशारा (3क) के खण्ड (क) के अधीन निष्ठित करें।

3. समूह बीमा स्कीम के प्रणाली में, जिसके अन्तर्गत लेखांशों का रखा जाना, विवरणियों का प्रस्तुत किया जाना, बीमा प्रीमियम का संवाय लेखांशों का अंतरण, निरीक्षण प्रभारों का सवाय मादि भी है, होने वाले सभी व्ययों का वहन नियोजक द्वारा किया जाएगा।

4. नियोजक, केन्द्रीय सरकार द्वारा यह अनुमोदित समूह बीमा स्कीम के निक्षेपों की एक प्रति, और अब कभी उनमें संशोधन किया जाए, तब उस संशोधन की एक प्रति सवा कर्मचारियों की बुमिल्या की भाषा में उसकी मुक्त बातों का अनुवाद, स्थापन के सूचना-पृष्ठ पर प्रवर्तित करेगा।

5. यदि कोई ऐसा कर्मचारी जो कर्मचारी भविष्य निधि का या उक्त अधिनियम के अधीन छूट प्राप्त किसी स्थापन की भविष्य निधि का पहले से सबस्य है, उक्त स्थापन में नियोजित किया जाता है, तो नियोजक समूह बीमा स्कीम के संवाय के रूप में उसका नाम तुरन्त दर्ज करेगा और उसकी बायत भावधारक प्रीमियम भारतीय जीवन बीमा निगम को संवत्सर करेगा।

6. यदि उक्त स्कीम के अधीन कर्मचारियों को उपलब्ध फायदे बढ़ाये जाते हैं तो, नियोजक, समूह बीमा स्कीम के अधीन कर्मचारियों को उपलब्ध फायदों में समुचित रूप से वृद्धि की जाने की अवस्था करेगा जिससे कर्मचारियों के लिए समूह बीमा स्कीम के अधीन उपलब्ध फायदे उन फायदों से अधिक अनुकूल हों, जो उक्त स्कीम के अधीन अनुरूप हैं।

7. समूह बीमा स्कीम में किसी बात के होते हुए भी, यदि किसी कर्मचारी की मृत्यु पर इस स्कीम के अधीन सदाय रकम उम रकम से कम हो जाए तो उक्त कर्मचारी की दशा में देव होती जब वह उक्त स्कीम के अधीन होता हो, नियोजक कर्मचारी के विधिक वारिम/नाम-निर्देशितों को प्रतिकार के रूप में दोनों रकमों के भ्रंतर के बगावर रकम का संदाय करेगा।

8. समूह बीमा स्कीम के उपलब्धों में कोई भी संशोधन, प्रावेशिक भविष्य निधि आयुक्त, अहमदाबाद के पूर्व अनुमोदन के बिना नहीं किया जाएगा और जहा किसी संशोधन से कर्मचारियों के हित पर प्रतिकूल प्रभाव पहने की संभावना हो, वहां, प्रावेशिक भविष्य निधि आयुक्त, अपना अनुमोदन देने से पूर्व कर्मचारियों को अपना दृष्टिकोण स्पष्ट करने का युक्तिपूर्त अवसर देना।

9. यदि किसी कारणवश, स्थापन के कर्मचारी, भारतीय जीवन बीमा निगम की उक्त समूह बीमा स्कीम के, जिसे स्थापन पहले अपना चुका है, अधीन रहते रह जाने हैं, या इस स्कीम के अधीन कर्मचारियों को प्राप्त होने वाले फायदे किसी रीति से कम हो जाते हैं, तो यह छूट रद्द कर दी जायेगी।

10. यदि किसी कारणवश, नियोजक उस नियत तारीख के भीतर जो भारतीय जीवन बीमा निगम नियत करे, प्रीमियम का संदाय करने में असफल रहता है, और पालिसी को व्यवगत हो जाने दिया जाता है तो यह छूट रद्द कर दी जायेगी।

11. यदि नियोजक, प्रीमियम का संदाय, आदि में कोई व्यक्तिकरण करता है तो, उन मृत सवायों के नाम निर्देशितों या विधिक वारिसों के, जो वह छूट न दी जाने की दशा में उक्त स्कीम के अन्तर्गत होते, बीमा फायदों के सदाय का उत्तरदायित्व नियोजक पर होंगा।

12. उक्त स्थापन के संबंध में नियोजक, इस स्कीम के अधीन पाने वाले किसी सदाय की मृत्यु होने पर, उसके हक्कवार मान निर्देशितों विधिक वारिसों को बीमाकृत रकम का संदाय तत्वरता से और प्रत्येक दशा में भारतीय जीवन बीमा निगम से बीमाकृत रकम प्राप्त होने के सात दिन के भीतर सुनिश्चित करेगा।

व्याख्यातक आपात

इस मामले में पूर्वापेक्षी प्रभाव से छूट देने आवश्यक हो गई है, क्योंकि छूट के लिए प्राप्त आवेदन-पत्र की कार्रवाई पर समय लगा। तथापि यह प्रमाणित किया जाता है कि पूर्वापेक्षी प्रभाव से छूट देने से किसी के हित पर प्रतिकूल प्रभाव नहीं पड़ेगा।

[सं०एस०-35014/111/80-पी०एफ०-२]

S.O. 3098.—Whereas Messrs H. U. F. Laljibhai, Jivram Gajjar, C/o Forge and Blower Company premises, Naroda Road, Ahmedabad, (hereinafter referred to as the said establishment) have applied for exemption under sub-section (2A) of section 17 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952) (hereinafter referred to as the said Act);

And whereas, the Central Government is satisfied that the employees of the said establishment are, without making any separate contribution or payment of premium, in enjoyment of benefits under the Group Insurance Scheme of the Life Insurance Corporation of India in the nature of Life

Insurance which are more favourable to such employees than the benefits admissible under the Employees Deposit-Linked Insurance Scheme, 1976 (hereinafter referred to as the said Scheme);

Now, therefore, in exercise of the powers conferred by sub-section (2A) of section 17 of the said Act and subject to the conditions specified in the Schedule annexed hereto, the Central Government hereby exempts with effect from 1st March, 1980 and upto 28th February 1982 the said establishment from the operation of all the provisions of the said Scheme.

SCHEDULE

1. The employer in relation to the said establishment shall submit such returns to the Regional Provident Fund Commissioner, Ahmedabad, maintain such accounts and provide for such facilities for inspection, as the Central Government may direct from time to time.

2. The employer shall pay such inspection charges as the Central Government may, from time to time, direct under clause (a) of sub-section (3A) of section 17 of the said Act, within 15 days from the close of every month.

3. All expenses involved in the administration of the Group Insurance Scheme, including maintenance of accounts submission of returns, payment of insurance premia, transfer of accounts, payment of inspection charges, etc. shall be borne by the employer.

4. The employer shall display on the Notice Board of the establishment, a copy of the rules of the Group Insurance Scheme as approved by the Central Government and, as and when amended, alongwith a translation of the salient features thereof, in the language of the majority of the employees.

5. Where an employee, who is already a member of the Employees' Provident Fund or the Provident Fund of an establishment exempted under the said Act, is employed in his establishment, the employer shall immediately enrol him as a member of the Group Insurance Scheme and pay necessary premium in respect of him to the Life Insurance Corporation of India.

6. The employer shall arrange to enhance the benefits available to the employees under the Group Insurance Scheme appropriately, if the benefits available to the employees under the said Scheme are enhanced, so that the benefits available under the Group Insurance Scheme are more favourable to the employees than the benefits admissible under the said Scheme.

7. Notwithstanding anything contained in the Group Insurance Scheme, if on the death of an employee the amount payable under this Scheme be less than the amount that would be payable had employee been covered under the said Scheme, the employer shall pay the difference to the legal heir/nominee of the employee as compensation.

8. No amendment of the provisions of the Group Insurance Scheme shall be made without the prior approval of the Regional Provident Fund Commissioner, Ahmedabad and where any amendment is likely to affect adversely the interest of the employees, the Regional Provident Fund Commissioner shall before giving his approval, give a reasonable opportunity to the employees to explain their point of view.

9. Where, for any reason, the employees of the establishment do not remain covered under the Group Insurance Scheme of the Life Insurance Corporation of India as already adopted by the establishment, or the benefits to the employees under this Scheme are reduced in any manner, the exemption shall be liable to be cancelled.

10. Where, for any reason, the employer fails to pay the premium within the due date, as fixed by the Life Insurance Corporation of India, and the policy is allowed to lapse, the exemption is liable to be cancelled.

11. In case of default, if any, made by the employer in payment of premium etc., the responsibility for payment of insurance benefits to the nominee or legal heirs of deceased members who would have been covered under the said Scheme but for grant of this exemption, will be that of the employer.

12. Upon the death of the member covered under the Scheme the employer in relation to the said establishment shall ensure prompt payment of the sum assured to the nominee legal heirs entitled for it and in any case within 7 days of the receipt of the sum assured from the Life Insurance Corporation of India.

Explanatory Memorandum

It has become necessary to give retrospective effect to the exemption in this case, as the processing of the application for exemption took time. However, it is certified that the grant of exemption with retrospective effect will not affect the interest of anybody adversely.

[No. S. 35014/111/80 PF.II]

का० आ० ३०९९—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमसं पावरमास्टर हंडीनिंग्स (प्राइवेट) लिमिटेड, २२९, डोली इण्डस्ट्रियल इस्टेट, ३१६, डेलिसे रोड, एन. पी. जोशी मार्ग, मुम्बई-११, जिसके अन्तर्गत डी-२०५ घाटकोपर इण्डस्ट्रियल इस्टेट, घाटकोपर, मुम्बई-८६ स्थित उमसी कारखाना भी है, नामक स्थापन से सम्बद्ध नियोजक बोर कर्मचारियों की बहुमंस्या इस बात पर सहमत हो गई है कि वार्मचारी भविष्य निधि और प्रकोण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, प्रब्र, उक्त अधिनियम की धारा १ की उपधारा (४) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना १ मई, 1979 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० ३५०१४/(१२३)/७९-पी०-एफ०-II)]

S.O. 3099.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Powermaster Engineers (Private) Limited, 229, Dodi Industrial Estate, 316, Delesie Road, N. M. Joshi Marg, Bombay-11, including its factory at D-205, Ghatkopar Industrial Estate, Ghatkopar, Bombay-86, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of May, 1979.

[No. S. 35018(123)/79 PF.II]

का० आ० ३१००—केन्द्रीय सरकार को यह प्रतीत होता है कि मैमसं ग्लोब मिरर इण्डस्ट्रीज, बी-११, इण्डस्ट्रियल इस्टेट, गिरी, मद्रास-३२, जिसके अन्तर्गत ११, नारायण मुज़नी स्ट्रीट, मद्रास-१ स्थित उमसी कारखाना भी है; नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुमंस्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और प्रकोण उपबंध अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, प्रब्र, उक्त अधिनियम की धारा १ की उपधारा (४) द्वारा प्रदत्त शक्तियों का प्रयोग करने द्वारा, केन्द्रीय सरकार, उक्त अधिनियम के उपबंध उक्त स्थापन को लागू करती है।

यह अधिसूचना १ अक्टूबर 1977 को प्रवृत्त हुई समझी जाएगी।

[सं० एम० ३५०१९(२३८)/७९-पी०-एफ०-II)]

ए० पूनर, उप संचित

S.O. 3100.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Globe Mirror Industries, B-11, Industrial Estate, Guindy, Madras-32, including

its branch at 92, Narayana Mudali Street, Madras-1, have agreed that the provisions of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by subsection (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of October, 1977.

[No. S. 35019(238)/79-PF.II]

A. POONEN, Dy. Secy.

New Delhi, the 22nd October, 1980

S.O. 3101.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of State Bank of India, Chaibasa and their workman which was received by the Central Government on the 9th October, 1980.

BEFORE MR. JUSTICE B. K. RAY, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 35 of 1975

PARTIES :

Employers in relation to the State Bank of India, Chaibasa

AND

Their Workmen.

APPEARANCES :

For the Employers.—Shri S. K. Ghosh, Advocate.

For the Workman.—Shri N. Laik, Advocate.

STATE : Bihar.

INDUSTRY : Bank.

Dhanbad, dated, the 3rd October, 1980

AWARD

By Order No. L. 12012/132/75/DIA, dated, the 24th November, 1975, the Central Government being of opinion that an industrial dispute exists between the employers in relation to the State Bank of India, Chaibasa and their workmen in respect of the matter specified in the schedule attached to the order have referred the same for adjudication to this Tribunal. The schedule to the order reads thus :

"Whether the action of the management of the State Bank of India was justified in not allowing Shri Ram Sewak Jha, Canteen Boy, to resume his duty with effect from the 26th May, 1975? If not, to what relief is the said workman entitled?"

2. After notice to the parties they have filed their respective written statements and rejoinders. After filing written statement and rejoinder the management has also filed an additional written statement on 5-2-1979 to which a further rejoinder has been filed by the concerned workman. Both parties have been represented by lawyers.

3. The case of the workman is as follows. The workman was appointed by the Agent of State Bank of India, Chaibasa Branch as a Canteen Boy on 8-1-1972. Till 26-5-1975 there was no canteen in the premises of State Bank of India Chaibasa nor there was any provision for the same. After appointment of the concerned workman his main duty was to bring tea etc. for the Bank's employees from outside shops. Besides the above work he was also doing the work of an office peon for the Bank as per advice and instruction of the Branch Manager and other supervisory staff. The workman was drawing salary to the tune of Rs. 150 per month through payment orders which was being issued by the Branch Manager. The workman had no connection with Local Implementation Committee, Staff Welfare Fund or with

the Secretary of the Committee. He was never employed by the Local Implementation Committee. He was never paid directly by the Secretary, Local Implementation Committee. The allegation of the Bank that the workman was an employee of the Local Implementation Committee is false. On 10th December, 1974 the workman received a letter about serious illness of his mother. So he rushed to his native village on 11th December, 1974 to see his ailing mother and due to disturbance in his mind he could not inform the Branch Manager before he left the Bank nor he could seek permission of the Bank to leave the station. Later on, however, the workman sent two applications in writing to the Branch Manager on 16th December, 1974 and 31st December, 1974 under certificate of posting stating the entire facts. While in his native place he suffered from illness and so he sent a medical certificate in support of his illness with another application dated 3rd February, 1975 under certificate of posting for leave. Inspite of these three applications no intimation was received from the Bank. After returning to the Head Quarters at Chaibasa the workman filed an application before the Branch Manager seeking permission to join his duty from 26th May, 1975. On 26th May, 1975 when the workman came to join his duty he was told by the Branch Manager that his services had been terminated. The workman protested against the illegal action of the Branch Manager and thereafter raised an industrial dispute before the management. Subsequently the workman approached the Assistant Labour Commissioner (C), Chaibasa and consequently a conciliation proceeding commenced. The proceeding however, failed and so the conciliation officer submitted a failure report to the Central Government which thereafter referred the dispute for adjudication to the Tribunal. The action of the management in terminating the services of the workman amounts to unfair labour practice and to violation of principles of natural justice. There was no existence of Local Implementation Committee from 8th August, 1972 to 10th December, 1974. There was also no existence of any canteen in the Chaibasa Branch of the Bank during the said period. At the beginning of his service the workman was getting a salary of Rs. 75 per month and later on the salary was increased to Rs. 150 per month. The workman never received the salary from Local Implementation Committee.

4. The case of the management is as follows. The reference is bad in as much as the concerned workman was never an employee of the State Bank of India much less of the Chaibasa Branch of the State Bank of India. The Bank, therefore, has no legal obligation in respect of the workman. Certain amount is allocated to the Local Implementation Committee of Staff Welfare Fund maintained at each branch of the Bank for providing certain amenities to the staff and carrying out welfare activities for the employees. The amount is credited to the account of Staff Welfare Fund maintained at each branch and spent by Local Implementation Committee consisting of representatives of the staff of all categories of the Branch. The Local Implementation Committee is in charge of welfare activities of the staff including the canteen and the Bank has no concern with these activities and the canteen. The staff canteen run by Local Implementation Committee is regarded as a non-proprietary self-serving institution and the activities undertaken by staff canteen do not amount to an industry within the meaning of Section 2(j) of Industrial Disputes Act, 1947. The canteen is run by the Local Implementation Committee at Chaibasa Branch. The concerned workman worked as a Canteen Boy in the said canteen run by Local Implementation Committee from 8th January, 1972 to 30th November, 1974 and thereafter left the canteen. On or about 22nd May, 1975 the concerned workman came back and applied to the Bank for reappointment as Canteen Boy. But as he was not an employee of State Bank of India, the Branch Manager of Chaibasa Branch of the Bank asked him to approach the Local Implementation Committee. In these circumstances the concerned workman could not be considered to be a workman of the State Bank of India and he does not come within the category of "workman". The staff canteen maintained by Local Implementation Committee is not an industry within the meaning of ID. Act. So the reference for adjudication of the dispute in respect of an employee employed in the canteen is without jurisdiction. As the concerned workman was never an employee of State Bank of India there could be no question of allowing him to resume his duty with effect from 26th May, 1975. So he is not entitled to any relief. The concerned workman never did any work for the Bank at any time between 8th January, 1972 to 30th November, 1974. Payment orders through which the concerned workman was being paid cannot go to prove that the concerned workman

was an employee of the Bank. Payment through payment orders is a normal procedure according to which payments are made.

In the additional written statement some more facts not mentioned in the original written statement and rejoinder of the Bank have been alleged. They are as follows. When one Sri K. P. Verma was Branch Manager of Chaibasa Branch of the Bank, he drew a self Cheque of Rs. 800 on 10th December, 1974 for his personal expenses. After endorsing the same he handed over the cheque to a permanent messenger, namely, Sri Jharkhand Bari for encashment of the cheque at the counter. Sri Jharkhand Bari presented the cheque at the counter and obtained a token. Thereafter he gave the token to the concerned workman who was then working as Canteen Boy in the Staff canteen for receiving cash from the counter and for handing over the same to Mr. K. P. Verma. The concerned workman received cash of Rs. 800 under the cheque and instead of paying the amount to Mr. Verma fled away with it. When Mr. Verma was going to report the matter to the police the brother of the concerned workman, a messenger of Chaibasa Branch of the Bank requested Mr. Verma not to report the matter to the police which would spoil the career of the concerned workmen. The brother of the concerned workman, however, made a promise to Mr. Verma to pay the sum mis-appropriated by the concerned workman in monthly instalments of Rs. 100 per month. After this incident Mr. Verma was transferred to Patriat Branch in February, 1975 and since then balance amount left un-paid was not paid to him. The concerned workman returned to the Bank only after transfer of Mr. Verma.

In an additional rejoinder filed by the concerned workman the new facts introduced by the Bank in additional rejoinder have been emphatically denied.

4. In course of hearing as many as six witnesses have been examined by the Bank including Mr. K. P. Verma. On the side of the workman three witnesses have been examined including the concerned workman. In course of evidence several documents have been marked on either side as exhibits. On closure of evidence parties have been heard at length. Mr. N. Laik for the workman raises the following contentions :

- Local Implementation Committee is not an independent employer ;
- The concerned Bank cannot enlarge the scope of the reference ;
- Local Implementation Committee has been constituted for the welfare of the employees. So any person employed in furtherance of any welfare measure must be a workman connected with the Bank. Any person employed in connection with any incidental activity of an industry is an industrial worker, e.g., a teacher employed by the Railway ;
- The concerned workman is not a casual worker because he was appointed on 1st August, 1972 and worked upto 10th December, 1974 ;
- There is no proof to show that the concerned workman was being paid his salary from the funds of Local Implementation Committee ;
- The story of misappropriation introduced by the Bank in the additional written statement filed by it on 5-2-1979 is an afterthought as the original written statement and rejoinder filed by the Bank on 28-8-76 and 31-8-76 respectively are silent about the misappropriation story ;
- The evidence of MWs-3 and 4 are not relevant because they depose about the story of misappropriation which cannot be the subject matter of the reference.
- MW-4 having said that Implementation Committee maintains record to show as to who are its employees and having deposed that the records maintained by Local Implementation Committee would not show that the concerned workman is an employee of that Committee, the case of the management that the concerned workman is an employee of that Committee has to be thrown out ;

(i) In view of evidence of MW-5 to the effect that Bank employees are only entrusted with money to purchase articles for the Bank and that their names are entered in the petty contingent register and in view of the fact that the endorsements at pages 19, 27, 29, 37, 51, 55, 59, 63 and 65 in the Petty Contingent Register show that the concerned workman has been entrusted with money for purchase articles for the Bank, it must be held that the concerned workman was an employee of the Bank and not of the Local Implementation Committee ;

(j) Ext. W-36 and W-37 Peon Books of Canara Bank and Central Bank of India having shown that the name of the concerned workman has been entered there it should be held that the concerned workman was an employee of the Bank particularly in view of the evidence led by WW-1 and WW-2.

5. So far as the Bank of India Ltd. is concerned the main stand urged by Mr. S. K. Ghose learned counsel for the Bank is that the concerned workman was not an employee of Bank and was an employee of the Local Implementation Committee which had been constituted by the representatives of the staff of the Chaibasa Branch of the Bank. The Bank had nothing to do with the Local Implementation Committee and its activities. This Committee was administering separate fund allotted to it. The fund had been allotted for providing canteen facility and other amenities to the members of the staff. The Committee was not functioning under the administrative control of the Chaibasa Branch of the Bank. The concerned workman having been appointed by the Local Implementation Committee was therefore not under the administrative control of the Bank. The canteen in which the concerned workman was appointed as Canteen Boy was a non-proprietary self-serving institution and so the activities undertaken by the canteen can not amount to an industry within the meaning of Sec. 2(j) of the I. D. Act

6. I shall now take up point (c) urged by Mr. Laik on behalf of the workman. According to Mr. Laik even conceding that Local Implementation Committee appointed the concerned workman the said committee having been brought into existence for the welfare of the Bank employees, the concerned workman's appointment by the Committee must be held to be in furtherance of welfare measure for the Bank. In otherwise the contention is that any person employed in connection with any incidental activities of the Bank which is an industry is an industrial worker. Reliance is placed by Mr. Laik on the decision reported in 41 FJR 571 (P. R. Kokil V. General Manager, S.C. Railway). In that case the question which arose was if a school teacher an employee of South Central Railway which was an industry was an industrial worker. In that case it was admitted on behalf of South Central Railway that the school teacher was an employee of the Railway, that his salary was paid by the Railway and that he was under the administrative control of the Railway. The only controversy which was raised in the case was as to whether a school teacher serving the Railway whose functions had nothing to do with the main activity of the industry which the Railway was carrying on was to be treated as an industrial worker. While deciding the controversy Justice Chitale of Bombay High Court referred to the definition of "Railway School" and "Railway servant" as given in the Railway Code. Railway school had been defined as a school established by a Railway directly under the Railway Board primarily for the benefit of the children of the employee and maintained and entirely controlled by the Railway. "Railway servant" had been defined as a person who holds a post under the administrative control of the Railway Board. Reliance was also placed in that decision in a case reported in 25 FJR 93 (J.K. Cotton Spc and Wgv. Mills Co. V. Labour Appellate Tribunal of India in which the question arose was whether a gardener working in the garden of a bungalow occupied by an officer of the mills could be held to be a workman as defined in Sec 2 (s) of the Industrial Disputes Act. On the basis of the admitted position that a school teacher was an employee of the Railway that his salary was paid by the railway that he was under administrative control of the railway and on the basis of definitions of "Railway School" and "Railway Servant" in the Railway Code, it was held that though the work done by a school teacher had no direct connection with the industry carried on by the rail-

way, the work of the teacher being incidental to the main industrial operation of the railway the teacher was within the definition 'workman' as given in the I.D. Act. The case relied upon by Mr. Laik has many distinguishing features, namely, that there were admissions that the school teacher was a servant of the railway that he was being paid by the railway and that he was under the administrative control of the railway. The definitions of the word "Railway School" and "Railway Servant" also showed in that case that the teacher was holding the post under the Railway Board. True in that case the activities of the school teacher had no connection with the industrial activities of the railway. But in the above context it was held that the teacher being under the administrative control of the railway and being appointed to impart education primarily to the railway employees his activities were incidental to the main industrial operation of the Railway. In the present case, however, it is not admitted that the concerned workman was holding his post under the Bank, that he was being paid by the Bank and that he was under the administrative control of the Bank. Had these things been admitted then only the decision relied upon by Mr. Laik would have been of some assistance to him and the activities of the concerned workman although not directly connected with the industrial activities of the Bank would have been taken to be activities incidental to the main industrial operation of the Bank. In my view, therefore, the decision relied upon by Mr. Laik can be no avail to him. The positive case of the Bank is, that certain fund was transferred by the Bank to the staff welfare fund which was year marked for providing certain amenities to the staff and for carrying out other welfare activities for the Bank as a whole. After the allotment of the fund the management of the said fund was entrusted to the Local Implementation Committee. The Bank had nothing to do with the administration of the fund and with the conduct of the welfare activities. This being the stand of the Bank it is not possible to accept the contention of Mr. Laik, that the Canteen run by the Local Implementation Committee is owned by the Bank. It is the positive stand of the Bank that the Canteen in which the concerned workman was appointed was a self serving institution. There is nothing to disbelieve this assertion. Such a canteen cannot be compared to any hotel or restaurant run on commercial line. Therefore if it is accepted that the staff canteen is run by the Local Implementation Committee consisting of the representatives of members of the staff of the Bank for the benefit of the members of the staff only the same will have to be regarded as a non-proprietary self serving institution and so the activities undertaken by the canteen having regard to the purpose for which the same are undertaken will not amount to an industry within the meaning of Sec. 2(j) of the I.D. Act. Reference in this connection may be made to an unreported decision of Bombay High Court in Special Civil Appln. 1866 of 1970 disposed of on 12/15/9-1975 (State Bank of India Staff Canteen Committee, Bombay and its workmen). In that case exactly the same question arose which arises in the present one. That case related to a canteen run by the Local Implementation Committee of the State Bank of India at Bombay. After giving the history as to how Local welfare fund was created and who managed it their Lordships categorically stated that an employee in a canteen run by the Local Implementation Committee was not an employee of the Bank and that the activities of such a canteen did not amount to an industry. The following observations of their Lordships in that decision are extracted below :

"Once the funds from out of its annual profits of the Bank were transferred to the Staff Welfare Fund and the same get ear-marked and the management of the welfare activities from out of the said fund is entrusted to the several Committees, the State Bank will have nothing to do with the conduct of the Welfare activities."

"But in our view, the question whether an institution could be regarded as a self-serving institution or not would not depend upon the aspect whether such institution is comprised of members as in the case of a members' club. An institution in which a particular activity is conducted and managed by the representatives of persons for whose benefit the activity is undertaken should

be regarded as a self-serving institution and it is in that sense that we are of the view that the Staff Canteen in question will have to be regarded as a self-serving institution and in that sense the Staff Canteen would be analogous to the case of a members' club. In our view, therefore, though it may not be strictly correct to say that the Staff Canteen in the instant case could be equated with the members' club still it will have to be regarded as a self-serving institution very much analogous to the members' club and in no event it can be compared to any hotel or restaurant run on commercial lines."

"Having regard to the above discussion, we are clearly of the view that the Staff Canteen run by the Canteen Committee consisting of the representatives of the members of the staff of the State Bank for whose benefit it is being run will have to be regarded as a non-proprietary self-serving institution and the activities undertaken by the Staff Canteen having regard to the scheme and the purpose for which the same are being undertaken do not amount to an industry within the meaning of Sec. 2(j) of the Industrial Disputes Act, 1947."

This disposes of not only point (c) raised by Mr. Laik but also points (a) and (b) raised by him.

7. The main controversy as it now appears is whether the concerned workman is an employee of the Bank. As has been pointed out earlier the stand of the Bank is that the workman was not appointed by the Bank at all and was not doing any work incidental to the industrial activity of the Bank. According to the Bank there was a separate fund known as local welfare fund allotted for the purpose of carrying out welfare activities for the members of the staff. Administration of this fund was in the hands of Local Implementation Committee of the Chabasa Branch of the Bank. This Committee in order to provide canteen facility for the staff of the Bank had employed the concerned workman as Canteen Boy. The Bank had no administrative control over him and was not paying his salary. The workman was getting his monthly salary from the Local Welfare Fund administered by Local Implementation Committee. The Bank, therefore, cannot be held to be responsible in any way for termination of the services of the workman. All other points raised by Mr. Laik will be covered while deciding the main controversy. Therefore, it is not necessary to deal with them separately, one after another. I now take up the question as to whether the concerned workman was an employee of the Bank or not. The workman has not produced the letter of appointment. In para 2 of the workman's written statement it is stated that the workman was appointed by the Agent as Canteen Boy. At the time of appointment MW-2 was the Agent. MW-2 says that he as Agent did not appoint the workman as Canteen Boy. He (MW-2) says that appointment in Bank is always made in writing by issue of an appointment letter and that he did not issue any such appointment letter to the workman. The workman has deposed that an appointment letter was issued to him by the Agent but the same was retained by him. When MW-2 was in the witness box he was not asked as to whether he retained the appointment letter. The workmen has not taken any step to call for the original appointment letter from the Bank alleged to have been retained by MW-2 or its copy. There is no explanation forthcoming from the workman as to why he allowed the appointment letter issued to him by the Bank to remain with MW-2. Such a plea is also not taken in the written statement of the workmen. Further MW-2 says that there is no post in the Bank carrying a monthly pay of Rs. 75/- or Rs. 150/-. There is nothing to disbelieve this. The establishment register maintained by the Bank as well as the attendance register show who are the employees of the Bank. Salaries of Bank employees are not paid through payment orders. The aforesaid two registers do not show the name of the concerned workman. The workman also admits that he had never been paid through establishment register. He He has also not signed in the attendance register. Although the workman asserts in his evidence that temporary peons are paid through payment orders he is constrained to admit that one Sri R. N. Pandey temporary peon has been paid through establishment register. So the Bank's case that the salaries of the employees of the Bank are paid through establishment register and not by payment

order has to be accepted. It is not the case of the workman that the establishment register and attendance register produced by the Bank are not genuine and have been manufactured to make out a false case against the workman. These registers are very important to show who are Bank's employees. The omission of the name of the concerned workman from these registers clearly goes to show that he was not an employee of the Bank. Much reliance is placed by Mr. Laik on the entries in the Petty Contingent register to show that the concerned workman had been entrusted with money to purchase articles for the Bank. MW 2 admits that on certain occasions advances had been made to the concerned workman for purchase of certain articles but these articles for the purchase of which advances were made to the workman were not for the Bank but for the Canteen. There is nothing to disbelieve the evidence of MW 2. MW-1 says that the workman was appointed as Canteen Boy. MW-3 also says that at present one Sri Bism Ram is Canteen Boy who is not an employee of the Bank. Mr. Laik refers to me Exts W-36 and W-37 to make out his case that the concerned workman was an employee of the Bank. These two exhibits are Peon Books of Canara Bank and Central Bank of India. There are some entries in these exhibits showing that on two occasions Canara Bank and Central Bank of India entrusted two of their cheques to the concerned workman to be made over to the Chaibasa Branch of State Bank of India. The argument is that unless the concerned workman was acting as Peon in the Chaibasa Branch Canara Bank and Bank of India would not have entrusted their cheques to the workman. It is not possible to accept this. The persons who have been examined for the workman to say that Canara Bank and Bank of India entrust their cheques only to a Peon are not persons of authority. They have no direct knowledge as to whether the workman was an employee of the Bank when cheques were handed over to him. Their evidence is only inferential. The inference drawn by them from the fact that on some occasions Canara Bank and Bank of India entrusted their cheques to the concerned workman to be delivered to the Chaibasa Branch of State Bank of India cannot be preferred to the positive evidence both oral and documentary adduced by the Bank. Regarding the three applications alleged to have been sent by the concerned workman from his native village to the Agent of the Chaibasa Branch of State Bank of India, it is urged by Mr. Laik that unless the workman was an employee of the Bank, he would not send applications one after another from his native village to the Agent. Receipt of these applications is denied by the Bank. MW-6 the present Branch Manager deposes to this effect. The medical certificate alleged to have been sent alongwith one of the three applications for leave has not been proved. The presumption which arose in favour of the workman after having proved that he sent three applications under certificate of posting have been sufficiently rebutted by the denial of the Branch Manager MW-6 and the other witness for the Bank, namely MW-1. In this connection reference may be made to the decision reported in 1940 Cal 227. Next I came to the conduct of the workman. The workman himself admits that after receipt of a letter regarding his mother's illness he suddenly left the Bank without making an application for leave. He further deposes that his brother who was then serving in the Bank also being absent he (workman) informed his brother's wife that he was leaving for his native place to see his ailing mother. The reason for not applying for leave is deposition to by the workman is that he was in such a troubled state of mind that he could not think of either filing an application for leave or filing an application for permission to leave station. Nothing prevented him to leave an application with his brother's wife to be filed before the Agent after his departure. The letter alleged to have been received by the workman regarding his mother's illness is not produced. The man who carried the letter is also not examined. The workman's brother who is an employee of the Bank and is admitted to be sitting in the Court when the case is being heard is not examined to support the workman's case. It is argued on behalf of the Bank that the workman would not have left for his native village had he really been an employee of the Bank without applying for leave or without seeking permission to leave the station. This contention is well founded. An employee of the Bank would not normally behave in the manner in which the workman has behaved. This is a very strong circumstance to show that he was never an employee of the Bank. Another

circumstance which weighs against the workman is that the scale of pay on which he was appointed is never prevalent in the Bank. According to the case of the workman he was initially appointed on a monthly salary of Rs 75 and by the time he left he was drawing monthly salary of Rs 150. The Bank says that there is no scale of pay prevailing in the Bank in which one gets initially a salary of Rs 75 p.m. and thereafter salary of Rs 150 p.m. In this connection my attention is invited to Ext M-14 the circular No 38/72 of the Head Office. This clearly shows that initially a Canteen Boy engaged in a canteen run by the Local Implementation Committee was to get Rs 75 p.m. as his salary. The circular further shows that subsequently the monthly salary was raised to Rs 150. The stand of the Bank that there is no scale of pay for a peon or for any other member of sub staff which starts at Rs 75 p.m. is not disputed and so also the stand that at no stage in the scale of pay an employee of the Bank gets Rs 150 p.m. The stand of the workman, therefore, that he was working as a peon in the Bank is discredited. Further if he was really appointed to do the work of a peon in the Bank there is no reason why he should accept an appointment for a Canteen Boy. Lastly it is urged by Mr. Laik for the workman that the records have not been produced by Local Implementation Committee to show that the workman was appointed by the Local Implementation Committee in a canteen run by the said Committee and that he was being paid out of the fund in the hands of the Committee. In this connection it is argued that on the other hand there is sufficient documentary evidence to prove that the concerned workman was being paid his salary by the Agent of the Bank through payment orders. It is true that the workman was being paid through payment orders, signed by the Agent of the Bank. But as has been indicated above had the workman really been the member of the staff of the Bank his name would have appeared in the attendance register as well as in the establishment register. I have already accepted the evidence led on behalf of the Bank that an employee of the Bank whether permanent or temporary is always paid through establishment register. Bank has to make several payments to several persons besides paying salary to the members of its staff. All payments other than payment of salaries to the staff are made through payment orders. Therefore payment to the concerned workman through payment orders does not make him an employee of the Bank. Merely because the workman has been paid his salary through payment orders signed by the Agent he cannot claim the status of an employee of the Bank. True the payment orders issued in favour of the workman do not show that the payments were being made on behalf of Local Implementation Committee. Local Implementation Committee is a committee consisting of the representatives of the members of the staff of the Bank. The Agent of the Bank is one of the members of the Committee. The Agent of the Bank has to make payments of salary to the employees of the Local Implementation Committee also. Therefore when he makes payment for Local Implementation Committee without specifically mentioning that he is acting on behalf of the Committee the action may be said to be irregular. But the same cannot clothe the concerned workman with a right of an employee of the Bank. The overwhelming evidence both oral and documentary relied upon by the Bank to show that the concerned workman was not an employee of the Bank cannot stand comparison to the evidence adduced by the workman. Above all the non-production of appointment letter by the workman and his conduct while leaving for his native village give a death blow to the workman's case. Lastly it is argued on behalf of the workman that documents should have been produced by Local Implementation Committee to prove that the workman was really appointed by it and was being paid his monthly salary out of separate fund allotted to the Committee. For the non-production of the documents by the Local Implementation Committee an adverse inference should be drawn against the Bank. I am afraid this contention cannot be accepted. Local Implementation Committee has been accepted as a separate entity other than the Bank of India. According to the Bank the Committee has its own fund which is administered by it. It is this Committee which runs the canteen and has appointed the workman. Thus being so it was open to the concerned workman to call for relevant documents from the Local Implementation Committee. Local Implementation Committee is not a party

to the reference. Therefore for non-production of any document by such Committee no adverse inference can be drawn against the Bank.

8. For the reasons given above I hold that the concerned workman was never an employee of the State Bank of India, Chaibasa Branch, and therefore the said Bank was not bound to re-appoint the concerned workman when he reported himself before the Manager on 25-3-1975.

In the result, therefore, Ram Sevak Jha is not entitled to any relief.

Reference is answered accordingly. There will be no order for cost.

B. K. RAY, Presiding Officer.
[No. L-12012/132/75-D.II(A)]

S.O. 3102.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 1, Dhanbad, in the industrial dispute between the employers in relation to the management of South Jharia Colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, District Dhanbad and their workmen, which was received by the Central Government on the 14th October, 1980.

BEFORE MR. JUSTICE B. K. RAY, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL

NO. 1, DHANBAD

In the matter of a reference under Sec. 10(1) (d) of the
Industrial Disputes Act, 1947.

Reference No. 1 of 1978

PARTIES :

Employers in relation to the management of South Jharia Colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, Distt. Dhanbad.

AND

Their Workmen.

APPEARANCES :

For the Employers.—Shri T. P. Choudhury, Advocate.
For the Workmen.—Shri S. Bose, Secretary, Rashtriya Colliery Mazdoor Sangh, Dhanbad.

STATE : Bihar. INDUSTRY : Coal
Dhanbad, dated the 9th October, 1980

AWARD

The Central Government by Order No. L-20012/135/77-D.III(A), dated, the 28th December, 1977 being of opinion that an industrial dispute exists between the employers in relation to the management of South Jharia Colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, District Dhanbad, and their workmen in respect of the matter specified in the schedule attached to the order, have referred the dispute for adjudication to this Tribunal. The schedule to the order reads thus :

"Whether the action of the management of South Jharia Colliery of Messrs Bharat Coking Coal Limited, Post Office Jharia, District Dhanbad in dismissing Shri S. N. Mukherjee, Loading Clerk from service with effect from 28th October, 1976, is justified ? If not, to what relief is the said workman entitled ?"

2. After notice to the parties they have filed their respective written statements and rejoinders.

3. The dispute relates to an order of dismissal of the concerned workman from service with effect from 28-10-76. Before the order of dismissal was passed, it is admitted that there was a domestic enquiry regarding the charge against the concerned workman, that in the enquiry the workman was found guilty and that on the basis of the said finding the impugned order dismissing the concerned workman followed. On the question as to whether the domestic enquiry held by

the management was fair and proper and according to principles of natural justice management in its pleadings has asserted that the domestic enquiry has been fair and proper in all respects while on the other hand the union or behalf of the workman in its pleadings has asserted that the said enquiry has not been in accordance with principles of natural justice. So on this controversy parties agreed that the question regarding fairness of the domestic enquiry should be decided before the case is taken up on merit. Accordingly the preliminary point was taken up and during hearing on the preliminary point management examined one witness who was the Enquiry Officer in the domestic enquiry and the union examined only the concerned workman. After hearing the parties on the evidence and on the documents filed by them the Tribunal by its order dated 7-3-80 held that the domestic enquiry was not fair. In the said order there was a direction that in case management wanted to lead evidence to establish the charge against the concerned workman it must produce the documents mentioned in Ext. M-9 for inspection of the workman before evidence was led. It is not disputed that after the above order although the management wanted to adduce evidence it did not produce the records as directed by order dated 7-3-80 for inspection of the concerned workman, on the plea that the same were not available. Records of the case show that management summoned the Manager of the colliery concerned who had issued the chargesheet against the concerned workman for his examination in the case, but ultimately the management gave up the witness and did not examine any other. The management submitted that it would argue its case on the basis of the record which had already been produced in the domestic enquiry and on the basis of the oral evidence led by the parties at the time of hearing on the preliminary point. The union on behalf of the workman also did not examine any further witness except the one who had been examined at the time of hearing on the preliminary point and wanted to argue its case on the basis of materials already on record. Accordingly both sides were heard on merit.

3. It may be mentioned here that the main reason why the domestic enquiry was not held to be fair and proper was that the concerned workman was not given full opportunity to inspect the relevant documents before the enquiry commenced to enable him to file his show cause to the chargesheet issued against him. It may also be further mentioned here that unlike the prevailing practice the domestic enquiry in the case proceeded without a show cause being filed by the concerned workman on the chargesheet issued against him. The workman did not file a show cause on the ground that he was not given opportunity to inspect relevant documents which were with the management to enable him to submit his reply. In that view of the matter and particularly in view of the direction given in order dated 7-3-1980 it was incumbent on the management to produce the records mentioned in Ext. M-9 before pressing the case against the concerned workman on merit before the Tribunal. The grounds disclosed by the management for non-production of the documents for inspection of the concerned workman are not at all convincing. It must, therefore, be held that the concerned workman has been deprived of opportunity to inspect the documents mentioned in Ext. M-9 to enable him to meet the case of the management against him on merit.

4. After reaching the aforesaid conclusion I now proceed to examine the respective contention of the parties made on the basis of materials on record. Ext. M-2 dated 15/17-3-76 is the chargesheet which was issued against the concerned workman in this case. The allegation in the charge is that the concerned workman prepared some false wagesheets without corresponding work and drew the amount on the basis of false wagesheet and showed payment to fictitious persons for the weeks ending as mentioned in the charge. The further allegations in the charge are that on 21-12-1974 a bill for 7 casual wagon leaders for Rs. 236 was prepared and paid. But on perusal of despatch register it was found that no wagons bearing Nos. PW 3989, NR 62236 and NR 46436 were either placed or despatched from the colliery on 21-12-1974. Besides the above allegations in para 3 of the chargesheet there was the allegation that the concerned workman although prepared six wagesheets they were not signed by the colliery manager and were still lying unpaid. On these allegations it was said in the chargesheet that the concerned workman had committed serious misconduct under clause 18(A)(a) of the certified Standing Orders of South Jharia Colliery. On this

chargesheet the workman was called upon to explain within 48 hours of the receipt of the same as to why disciplinary action should not be taken against him. As has been stated earlier it is the case of the concerned workman that after receipt of the chargesheet as he was not permitted to inspect the relevant documents concerning the different charges he could not file his reply. This case of the workman was accepted by me while hearing the preliminary point regarding fairness of the domestic enquiry. It was because of this by order dated 7-3-1980, I directed the management to produce the documents mentioned in Ext. M-9 for inspection of the concerned workman before the case was taken up on merit. This, as pointed out above, was not done and therefore the workman could not have the opportunity to explain the charges against him after inspection of the relevant documents.

5. The main case of the management as made out in its pleading is that the concerned workman prepared some false wagesheets showing payment to several casual leaders but as a matter of fact money received by the concerned workman for payment under those wagesheets were never paid to the persons mentioned in the wagesheets who were all fictitious persons. Ext. M-2 discloses as many as 19 times involving Rs. 5,402.95 which according to management was falsely drawn under the false wagesheets by the concerned workman. Ext. M-18 are the relevant wagesheets alleged to have been falsely prepared by the concerned workman under which false payments are alleged to have been shown. These wagesheets have come to the record of the case because they were used in the domestic enquiry by the management. Therefore, they have been exhibited. These are practically the main documents for the management. With reference to these documents it is argued by Mr. T. P. Choudhury learned counsel for the management that the concerned workman W.W. 1 has admitted in cross-examination to be the author of these documents. The defence of the concerned workman as disclosed in his evidence as well as in his pleadings is that the then colliery manager asked him to prepare the fictitious wagesheets, to draw money under them and to hand over the same to him (colliery manager) to be paid to two other Chaprais who were being maintained by the manager. It is argued by Mr. Choudhury that as the concerned workman has admitted to be the author of these wagesheets even accepting the case of the workman that he prepared the false wagesheets and drew money under them under the direction of the colliery manager still the workman would be held to be guilty of acting dishonestly regarding company's property. First of all I do not accept such a broad contention. In order to constitute a dishonest act guilty intention must be proved behind such act. If the concerned workman who is admittedly a subordinate to a colliery manager acts under behest of the manager and prepares the false wagesheets, draws money under them and pay the same to the manager the act of the concerned workman cannot be said to be a dishonest one because such act would not have the necessary guilty intention. The workman in such a case must be said to have committed the act under coercion to which he has subjected by his superior. Therefore, unless it is shown by the management that the concerned workman while preparing the false wagesheets and drawing money under them shared the dishonest intention of his manager under whose direction he prepared the wagesheets and drew money then and then only the workman can be said to have acted dishonestly in respect of company's property. In this case nothing has been shown that the concerned workman and his superior, namely, the manager both shared the common guilty intention when the former prepared false wagesheets and drew money under them. Therefore even if it is accepted as contended by Mr. T. P. Choudhury that the concerned workman in his cross-examination has admitted to be the author of the false wagesheet still then it cannot be said that the management has been able to make out a case against the workmen. That apart after carefully reading the evidence of WW-1 I do not find any statement therein from which it can be said that the witness admitted to be the author of the false wagesheets (Ext. M-18). The statement of the witness relied upon by Mr. T. P. Choudhury only indicates that the concerned workman was preparing false wagesheets and drawing money under them under the direction of the manager. The statement does not mean that he prepared the false wagesheet Ext. M-18 under the manager's direction. Therefore there is no evidence that the wagesheets on which the manage-

represent correct state of things. The relevant registers supporting the wagesheets which the management was directed to produce as per order dated 7-3-80 have been withheld by the management on the plea that they are not traceable. An argument has also been made at this stage by the management that the production of these registers would not improve the management's case because they would not have shown entries supporting the entries in the false wagesheets Ext. M-18. In other words according to management it cannot be said to be guilty of withholding negative evidence. It is very difficult to accept this contention. The registers, if produced, would have shown whether the entries in the wagesheets are false or not. In that view production of the register is very material. If these registers would not have shown entries supporting the entries in the wagesheets Ext. M-18 the management's case would have been on a stronger footing. If the registers would have shown entries supporting entries in the wagesheets Ext. M-18 the charge against the workman would have failed. So non-production of the registers is fatal to the case. Accordingly when these documents are not produced and there is no oral evidence saying that the entries in the wagesheets are false it cannot be said by any stretch of imagination that the management has been able to establish its case.

6. It is argued by Sri Bose for the union that the concerned manager under whose direction the concerned workman was preparing the false wagesheets has not been examined in the case by the management. According to Mr. Bose he would have been the best person to come forward to deny the defence case to the effect that under his direction the concerned workman was preparing false wagesheets. It is further argued by Mr. Bose that this manager although was summoned by the management has not been examined without any explanation and so the best possible oral evidence has been deliberately withheld by the management. The assertion of the workman in his evidence that he prepared the wagesheets and drew money under them as directed by the manager and that after drawing the money the workman paid the same to the manager who in his turn paid it to two Chaprais maintained by the manager stands unrefuted by non-examination of the manager and by non-production of documents as mentioned earlier. It is also urged by the union for the workman that instead of proceeding against the concerned manager the management get him transferred to another place and by now the said manager has been promoted to a higher rank. This position also is not seriously disputed by the management.

7. Another point raised by defence is that when the colliery manager was directing the concerned workman to prepare false wagesheets and draw money under them to be paid to him and the concerned workman was doing accordingly, he wrote to the Vigilance department about the practice against the manager. When the manager came to know that the concerned workman had made a report against the manager, first of all a false Chargesheet Ext. M-1 dated 30-10-75 was served on the concerned workman. The allegation in the chargesheet was almost similar to the chargesheet Ext. M-2 in the present case. Not being satisfied with that the management issued the second chargesheet Ext. M-2. It may be mentioned here that relating to the first chargesheet Ext. M-1 there was a domestic enquiry in which it was held that the management had not established its case. The report in the said enquiry is dated 16-8-76. Therefore Mr. Bose contends that the management is order to save the manager falsely started the present case. As against this Mr. T. P. Choudhury relies on the evidence of the concerned workman that he wrote to the Vigilance on 10-11-75 i.e. after the first chargesheet Ext. M-1 dated 30-10-75 was issued and contends that the report which the concerned workman sent to the Vigilance against the manager was only to save himself by making a false case against the manager because by the time he reported to the Vigilance department the first chargesheet had already been served. This contention of Mr. Choudhury is refuted by Mr. Bose on the basic of the actual document produced in the case which shows that the concerned workman actually wrote to the Vigilance not on 10-11-75 but on 11-10-75 i.e. long before the first chargesheet was issued. According to Mr. Bose the oral evidence of WW-1 to the effect that he wrote to the Vigilance on 10-11-75 must be a mistake due to lapses of memory. This argument of Mr. Bose appears to be sound. When the document itself shows that the workman wrote to the Vigilance on 11-10-75 the oral

statement of WW-1 to the contrary cannot but be said to be a mistake due to lapses of memory. So there is much force in the argument of Mr. Bose that when the concerned workman reported about the conduct of the manager to the Vigilance and about the manner in which the concerned workman was being utilised, attempt was made by the manager to rope the concerned workman in a false case.

8. The non-examination of the manager as a witness in the case by the management, non-production of the documents mentioned in Ext. M-9 for inspection by the workman as per direction in order dated 7-3-1980 without any satisfactory reason and absence of any direct evidence led by the management saying that the wagesheets Ext. M-18 are false documents under which the concerned workman drew money are the main lacunae in the management's case. On account of this it is to be held that the management has failed to establish its case against the concerned workman.

9. For the reasons given above I held that the action of the management in dismissing Sri S. N. Mukherjee, leading clerk, from service with effect from 28-10-1976 is not justified, and that he is entitled to reinstatement with full back wages with effect from the date he was dismissed. In the circumstances there will be no order for costs.

B. K. RAY, Presiding Officer
[No. L-20012/135/77-D. III(A)]

S.O. 3103.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 3, Dhanbad, in the industrial dispute between the employers in relation to the management of Rajpura Colliery of Messrs Eastern Coalfields Limited, Post Office Sarshapahari, District Dhanbad and their workman, which was received by the Central Government on the 10th October, 1980.

BEFORE SHRI P. RAMAKRISHNA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 3, DHANBAD

Reference No. 17/79

PARTIES :

Employers in relation to the management of Rajpura Colliery of M/s. Eastern Coalfields Ltd., P.O. Sarshapahari, Distt. Dhanbad.

AND

Their workmen.

APPEARANCES :

For the Employers.—Shri B. Joshi, Advocate.

For the Workmen.—Shri B. K. Ghose, Member of Executive Committee Janta Mazdoor Sangh.

INDUSTRIAL : Coal

STATE : Bihar

Dated, the 4th October, 1980

AWARD

The Government of India in the Ministry of Labour in exercise of the power conferred on them U/S 10(1)(d) of the Industrial Disputes Act, 14 of 1947 have referred the following dispute to this Tribunal for adjudication by their Order No. L-20012/97/79-D III(A) dated 30-10-79.

SCHEDULE

“Whether the demand of the workmen of Rajpura Colliery of M/s. Eastern Coalfields Ltd., P.O. Sarshapahari, Dist. Dhanbad that the workload of Quarry Miners should be fixed 67.5 cft. and that the workmen concerned should be paid arrears of wages is justified ? If so, to what relief are the workmen entitled and from what date ?”

2. The workman through the Janta Mazdoor Sangh have pleaded that the nature of work turned out by them answer the description of a Quarry Miner given at Sl. No. 3 at page 28 of the booklet of Groupings, Nomenclatures, Job-Descriptions and Work-Norms of Coal Employees Wage Agreement dated 11-12-74. As per that job description a quarry workman is one who is engaged in dressing and loading of blasted coal into tubs, mine cars etc. and the workload is fixed at 67.5 cft. of coal per head per shift. The workmen claim that being Quarry Miners their workload should have been fixed at 67.5 cft. only and the management was wrong in fixing it at 94.5 cft. They say that the nominal dressing allowance of Rs. 1.85 paise paid for this extra workload of 27 cft. is grossly inadequate. They pray that their workload may be fixed at 67.5 cft. as per the terms of National Coal Wage Agreement (N.C.W.A.) and their wages paid accordingly with effect from 11-12-74.

3. The management in their written statement denied the workmen's claim that they are quarry miners. They assert that they are quarry loaders and their workload is correctly fixed at 94.5 cft. as per N.C.W.A. Even in the case of quarry loaders some slight work of dressing is required undertaking this work the management proposed to engage some Dressers. The union on behalf of the workmen claimed that the wages payable to the Dressers may be distributed among them. In the interests of harmonious relations the management agreed to pay the workmen Rs. 1.35 paise for every 94.5 cft. per man shift on prorata basis by way of dressing allowance. According to them this agreement has been implemented. They submit that since the said settlement has not been terminated in accordance with law this Reference on the same issue is incompetent.

4. The management in their rejoinder to the workmen's written statement take the plea that the settlement entered into with the majority union cannot be sought to be nullified by another union (the one in question) which has hardly any following in this colliery. They deny the other averments made in the workmen's statement of claim.

5. The workmen in their rejoinder deny the averments made in the management's written statement.

6. On the above pleadings the issues that arise for consideration are —

(1) Whether the workmen in question are Quarry Loaders or Quarry Miners ?

(2) If they are Quarry loaders whether they are entitled to any relief ?

7. Issue (1).—The facts of the case are the workmen concerned are engaged in the Rajpura Project. While the workmen claim to be quarry miners the management contends they are quarry loaders. According to N.C.W.A. (I) quarry loaders and quarry miners fall under Group VA. In the case of a quarry miner the workload is fixed at 67.5 cft. while in the case of a quarry loader it is fixed at 94.5 cft. The contention of the workmen is that their job falls under the category of quarry miners whose job description is given as “a quarry workmen engaged in dressing and loading of blasted coal into tubs, mine cars etc”. The job description of quarry loader is given in the same Agreement as “a workmen engaged in loading of blasted and dressed coal into tubs and trucks etc”. In support of their case that the concerned workmen fall under the category of quarry loaders the management have examined Shri S. C. Mukherjee who has been working as Agent of Rajpura Colliery since 1st of June'79. He deposed that a quarry miners has to cut coal after it is blasted down by low explosives. The effect of blasting by low explosive is it simply loosens coal. The quarry miner has to cut big lumps of coal and load them. The blasting of coal by low explosives involves dressing of the face. Where high explosives are used as in the case of the instant colliery the coal is shattered. The job of the loader is merely to load the coal with a shovel into the tubs or dumpers standing nearby. Even when high explosives are used a little amount of dressing is required to drop down the hanging coal pieces to ensure safety. In Rajpura Colliery the management intended to engage Dressers for this limited job of dressing. The union (Bihar Colliery Kamgar Union) represented that instead of engaging Dressers some dressing allowance might be paid to the loaders for doing that work. The management accepted that proposal and the terms

of that proposal are reduced to writing. A photostat copy of that agreement is filed as Ext. M-1. In his cross-examination he was asked if loaders are provided with picks. His reply was that only some of the loaders in a gang are provided with picks. He further submitted that the work of dressing is entrusted to experience loaders selected by Mining Sirdar and Overman. MW-2 Sri B.B. Prasad, Personnel Manager is examined to prove the Agreement Ext. M-1. He is one of the signatories to Ext. M-1. According to him the management has implemented all the terms and conditions stipulated in Ext. M-1 and that the said terms and conditions are also accepted by all the workmen. One of the concerned workmen Sri Sitaram Mallah is examined as WW-1. In the chief examination he has stated that he and the other members of his gang have to dress down the face before loading the coal. About 15 or 16 pick axes are given to the members of the gang. The cross-examination of this witness clearly shows that he is not competent to speak to the facts of the present case. He does not know the emoluments he was getting before nationalisation or thereafter. He says that before nationalisation he was having a workload of 25 cft. and after nationalisation he is continuing to have the same workload.

8. I prefer to accept the evidence of MW-1 Sri Mukherjee who is a person competent to speak about the facts of the case. Further the Agreement Ext. M-1 which the workmen entered into with the management through the Bihar Colliery Kamgar Union describes the workmen as Quarry Loaders and fixes their workload at 94.5 cft. per head per shift. It is disputed by Sri B.K. Ghose representing the workmen that the terms of this agreement have been implemented and the workmen have been deriving the benefit provided thereunder. Relying on the evidence of MW-1 and the recitals contained in Ext. M-1 wherein the workmen are described as Quarry Loaders, I find Issue (1) against the workmen.

9. Issue (2)—In the light of the finding on Issue (1) the workload of the workmen is correctly fixed at 94.5 cft. as per the job description of Groupings, Nomenclatures, Job Description and Work-Norms of Coal Employees and National Coal Wage Agreement dated 11-12-74.

10. For the aforesaid reasons, the Reference is answered against the workmen.

P. RAMAKRISHNA, Presiding Officer
[No. L-20012/97/79-D.III(A)]
S.H.S. IYER, Desk Officer

New Delhi, the 23rd October, 1980

S.O. 3104—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of the Nagpur, Telephone District and their workmen, which was received by the Central Government on the 15th October, 1980.

BEFORE SHRI A. G. QURESHI, M.A., LL.B., PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(40)/1978

PARTIES :

Employers in relation to the management of the Nagpur, Telephone District and their workmen represented through the Working President, Nagpur Telephones Casual Labour Union, Sarode Building, Near Corporation Primary School, 10 No. Bridge, Indora, Nagpur, (M.S.).

APPEARANCES :

For Union—Shri N. H. Kumbhare, Advocate.

To Management—Shri R. R. Deshpande, Advocate.
INDUSTRY : Telephones DISTRICT : Nagpur (M.S.)
Dated : October 6th, 1980

AWARD

The Government of India, in exercise of the powers conferred by Sub-section (d) to Sub-section (1) of Section 10 of the Industrial Disputes Act, has referred the following dispute to this Tribunal, for adjudication, vide its Order No. L-40011(S)/76-D.II(B) dated 3rd August, 1978 :—

"Whether the following demands of the casual workmen of the Nagpur Telephone District, employed under the District Manager, Telephones, Nagpur are justified ?

- (1) Regularisation of services after completion of 240 days' work in a period of twelve calendar months :
- (2) Increase in wages on the basis of the nature of their work. If so, to what relief are the concerned workmen entitled and from what date ?"

2. The case of the Union may briefly be stated as under :

The management of Nagpur Telephone District employs the labourers to do the work connected with the installation of telephones and maintenance of service. The workers so employed have been classified in two categories viz. regular workers and casual workers. Irrespective of the category to which they belong, both the type of the workers are required to do one and the same type of job which consists of attending the complaints, removing the defects and faults in telephones, laying of cables and to do all incidental work including earth cutting. The total strength of the workmen who are treated as casual is 150 and the strength of the regular workers is 100. The permanent workers are being paid @Rs. 300/- inclusive of allowance etc., whereas the casual workers are being paid @Rs. 4/- to 4.68 P. per day and the payment is made every month.

3. The Union has further averred that the casual workers have been wrongly categorised as casuals, because they are employed to do the work which is essentially a part of the work carried on by the management at Nagpur Telephones. These workers were not employed temporarily for a specified period. They were, in fact, the permanent and the regular employees of the Nagpur Telephones. There is no reason for the management not to treat these workers as permanent or regular. The work which these workers are handling cannot be handled by the unskilled labourers. The casual workers have acquired the skill through experience and training. The Union has therefore prayed for the regularisation of the workers designated as casual and for payment of the wages at par with the regular workers. In the alternative a demand of the wages of Rs. 10/- per day has been made.

4. The case of the management is that although the workers are required to work connected with installations of telephones and maintenance of service but the workers are employed as casual mazdoors to do the work of routine maintenance of assets involving such unskilled job like cleaning and polishing floors, windows, etc., outward cleaning of equipments, assistance to higher echelons of maintenance staff like technicians and wiremen etc. The mazdoors also provide assistance to Sub-Inspectors, Cable Jointers and Linemen for providing new telephone connections, laying telephone under ground cables and fittings in the subscribers offices and for attending to faults and preventive maintenance of external plants. As such, the work of these casual labourers is of a routine nature which can be done by any unskilled labourer. The job of these workmen does not include attending the complaints, removing defects, and faults in telephones and laying of cable independently.

5. The management has denied that the workmen employed as casual mazdoors are required to do the essential work carried on by the management of Telephones. The casual workmen are employed on daily wages as casual labourers. They are, of course, provided with full days' work and are required to do similar type of work for which regular workers are employed, with the main difference that the regular employees owe certain responsibilities by virtue of regular employment and are governed by various rules of department for

the purpose of discipline conduct etc. The management undertakes various projects in order to increase the efficiency of the department. While undertaking such projects, the management has to employ labourers. Usually the quota of labourers required for the purpose is limited. However, sometimes, the management has to increase the quota of labourers in order to give the effective service to public. For this purpose, the management has made two categories viz. regular workers and casual workers. The number of labourers required in a fixed quota are designated as regular workers, while the casual workers are appointed on daily wages to do the extra additional work, where the regular workers are not sufficient to carry out such work. As such casual workers can be removed whenever they are not required. The casual labourers are neither permanent nor temporary and therefore are not governed by the provisions of Fundamental Rules and Central Civil Service (Classification, Control and Appeal) Rules, 1965 and the Central Services Conduct Rules, 1964. The term casual itself signifies that these persons are engaged as labourers according to exigencies of work from time to time and there are no specific rules for recruitment of casual labourers. Therefore no written appointment orders are issued. The casual workers are paid the wages according to the Wages prescribed by the Central Ministry of Labour for the city of Nagpur.

Lastly, it has been contended that the Postal and Telegraphs Department is not an 'industry' within the meaning of Sec. 2(j) of the Industrial Disputes Act. Hence this Tribunal has no jurisdiction to try this case and therefore this case is liable to be dismissed for want of jurisdiction.

6. In view of the above pleadings of the parties to the dispute the following points arise for determination:—

- (1) Whether the Postal and Telegraph Department is an industry within the meaning of Sec. 2(j) of the Industrial Disputes Act, 1947?
- (2) Whether the services of the workmen employed by the Nagpur District Telephones as casual workmen should be regularised after completion of 240 days' work in a period of twelve months?
- (3) Whether the casual workmen are entitled to the increase in wages on the basis of the nature of their work?

(4) To what relief the workmen are entitled?

My findings with reasons on the above issues are as under:—

7. Point No. 1.—The learned Counsel for the management relying on the opinion of the Law Ministry contained in Ex. M/2 has argued that P&T Department is not an 'industry'. On the other hand learned Counsel for the Union has submitted that the view of the Law Ministry was based on an earlier decision of the Supreme Court. But in the recent judgment of the Supreme Court in Bangalore Water Supply and Sewerage Board Vs. A. Rajappa (AIR 1976 SC 549) Post and Telegraphs Department is an industry.

8. In my opinion, the judgment of the Supreme Court in Bangalore Water Supply case (supra) has set the controversy about the definition of the 'industry' at rest and interpreting the definition of the 'industry' it has been held that: "the industry as defined in Sec. 2(j) of the Industrial Disputes Act has a wide import where there is systematic activity organised by Cooperation between employer and employee for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss) *prima facie* there is an industry in the enterprise. Absence or profit motive or gainful objective is irrelevant, be the venture in the public, joint, private or other sector. The true focus is function and decisive test is the nature of the activities with the social emphasis of employer and employee relationship. If the organisation is a trade or business it does not cease to be the one because of philanthropy animating the undertaking". It has further been held that; "sovereign functions strictly understood (alone) qualify for exemption, not the welfare activities or economic adventures undertaken by Government or statutory bodies".

9. In the light of the aforesaid decision of the Supreme Court, if we examine the activities undertaken by the post and Telegraphs Department it is plain that they cannot be treated as a regal or sovereign function of the State. Post and Telegraphs Department carries on an undertaking rendering material service to the community at large. Such

public utility services can be carried on by private companies also. Owning and running the telephone and telegraphs services by a private company is not unknown in some countries. Bell Telephone Company of the United States of America can be quoted as an example.

10. A similar plea as raised by the P. and T. Department before this Tribunal was also raised in case of K.R.B. Kaimal and another Vs. Director of Postal Services Trivendrum (1978 (37) F.L.R. p. 379). In which the Kerala High Court following the judgment of the Supreme Court in the Bangalore Supply Company's case (supra) has held as under:—

"A public utility service like the postal, telegraph of telephone etc. will come within the ambit of the word industry as defined in the Act. The respondents are in error in considering that the rules framed under Article 310 and 311 could be considered to be legislative provisions in the same field removed from the scope of the Act categories which otherwise may be covered thereby. Justice Chandrasekara Iyer of the Supreme Court had observed in the earlier case of D. N. Banerji V.P.R. Mukherjee, to which view Justice Krishna Iyer of the Supreme Court speaking for the majority in Bangalore Water Supply and Sewerage Board Vs. A. Rajappa, gives full support that a public utility service such as railways, telephones and the supply of power, light or water to the public even if it is carried on by corporations would be an industry coming within the ambit of the Act. Such activities cannot be considered to be sovereign or regal functions and solely because rules are framed under Articles 309 and 310 of the Constitution governing such employees, they will not be taken out of the scope of the Act. This is clear from certain other provisions of the Act itself. Framing of rules by the Government for its servants functioning in a public utility service as post and telegraph, telephones or railway will not in any manner entrench on the fields occupied with settlement of Industrial Disputes Act which is a special legislation dealing with settlement of industrial dispute."

11. In view of the dictum of the Supreme Court in Bangalore Water Supply and Sewerage Company's case followed by the Kerala High Court in K.R.B. Kaimak's case (supra), there can be no room of doubt that the public utility services of the Post and Telegraphs and Telephones Department is an 'industry' within the meaning of Section 2(j) of the Industrial Disputes Act, 1947.

As a result of the aforesaid discussion I hold that Post and Telegraph department is an 'industry'.

12. Point No. 2:—For deciding this issue first of all it has to be seen whether the work of the concerned workmen designated as casual labourers is essentially of a casual nature.

The Union has examined 4 witnesses in support of its case. Shri Naranjan Marauti Sahare, Working President of the Casual Mazdoor Union, states that he is working as a casual labourer for the past seven years without a break. The duties which he performs as a casual labourer are digging pits for the poles, fitting the parts of the poles, erecting the poles in the pits, fixing brackets in the poles for drawing wires on them, fixing stay wires to the poles for keeping them erect, drawing wires on the poles and doing the wire fittings in the sub-offices for giving telephone connections. He is attached to Dhantoli Centre. At this centre there are 4 regular mazdoors and 6 casual labourers. All the casual workers at that centre are continuously working as casual labourers for at least 4 years without a break. The regular and casual labourers at the Dhantoli Centre do the same type of job without a distinction. The nature of the work, which the casual labourers are doing required some training and experience. A fresh raw hand will not be able to do it. He further states that in the whole district there are about 125 regular labourers and about 275 or more casual labourers. Out of which 150-200 casual labourers have been working continuously for the last 4-5 years. The casual labourers do not do the work of cleaning of windows and the floor. They are always doing outdoor duties. About 150-200 new telephones

connections are given every year and the shifting are also required to be done. There is no decline in the work-load and the activities are expanding. New buildings are constructed but the casual labourers are not employed for that casual type of work.

In cross-examination this witness states that the Inspector guides the casual and regular workers to work and accordingly the labourers both casual and regular perform the jobs as has been described above. The lineman does not accompany them.

13. Another witness Shri Sadashiv Parasram Uike (W.W. 2) also states that he continuously working as casual labourer with the Nagpur District Telephones for the last 10 years without break. Since last January he has been taken up as a regular labourer. He was connected with the work regarding allotment of telephones. Even after becoming a regular employer he is doing the same job which he was doing for the last 10 years, as a casual labour.

In cross-examination, this witness states that when a connection is to be given and the wiring is to be brought from a distance then his duty, as a member of the team, is to dig the pits, erect the poles and do other needful things so that the connection is given to the subscriber. The other two witnesses of the Union are about the wages which the casual labourers are getting in other establishments.

14. The management has examined Shri Babu Rao (M.W. 1) and Shri Kalpnath Pandey (M.W. 2) in support of its case. Shri Babu Rao is a Sub-Divisional Officer at the Telephone Exchange. Prior to his present posting he was working as Asstt. Engineer, P.B.X. and was handling the labourers. According to him, in undertaking the extension work, the telephone posts have to be fixed up and for that trenches are to be dug. This digging of the trenches and fixing of the poles etc. is being done by the casual labourers engaged by the department. A raw hand can start this type of work and no skill is required. Once they are treated as casual labourers they continue in the other project if in hand; where they are utilised, otherwise they are discontinued. Besides the casual labourers there are regularly employed labourers of the department engaged on permanent basis. There is no difference in the character or quality of work between regular labourers and the casual labourers. But a regular labourer can be called any time on duty and he cannot remain absent without permission. Whenever a regular vacancy occurs in the department as per the sanctioned strength, the senior most casual mazdoor is usually selected for being absorbed against the 108 of regular labourers. He is not in a position to say whether the strength of the regular workers is sanctioned by the Government.

In cross-examination this witness states that under S.D.O. (P) Main, about 69 casual workers are engaged, the S.D.O. (P) Itwari has about more than 5 casual workers and A.E. P.B.X. is having nearly 60 casual workers and A.E. (Cables) has 60 casual workers. The office of A.E.P.B.X. was started in the year 1978 and the casual mazdoors were recruited in the year 1978. Except the A.E.P.B.X. in all other section the usual strength of the casual labourers is continuing for the last 4 or 5 years and the same persons are working against that usual strength as given above. The casual workers dig trenches, erect poles, fix poles, fix brackets, insulators and draw wires on the insulators fixed on the poles. The regular workers are also required to do the same work. Generally in maintenance work only regular workers are employed for looking after break downs etc. Only on exceptional occasions, casual labourers may be employed for maintenance work. In the section of this witness there had been no occasion during the last 5 years to dispense with or reduce the strength of the casual workers. All this work about which this witness has stated above is clearly routine work of the department and not any project work of a purely temporary nature.

15. The other witness, Shri Kalpnath Pandey (M.W. 2), is a Sub-Inspector of Telephones for the last 8 years. He also makes the same statement about the working of the casual workers as stated by Shri Rao (M.W. 1). But about the retrenchment he states that the requirement of the strength of casual labourers varies with the nature and quantum of work. When one work is exhausted the surplus casual labour is retrenched on the basis of seniority.

In cross-examination this witness admits that the casual labour and the regular labour do the same job of work. The work involves climbing of poles which a raw hand cannot do. He has to be trained for it. The work is of a technical nature and the new hand is required training for 4-6 months for picking up the work. After seeing, about 20 casual workers present before the Tribunal at the time of the evidence, the witness states that they all are in employment for the last 5 or 6 years.

16. From the statements of the witnesses of the Union and the management, it is clear that all the workmen designated as casual workmen are doing the same type of job as is done by the regular workmen. There is no difference between the work of the labourers employed as casual labourers and those employed as regular workers. The statements of the witnesses of the Union get support from the statement of Shri Pandey (M.W. 2) who states that the work which the casual labourers are doing is the technical nature of work, which requires training and any raw hand cannot do that work. The witness of the management, Shri Rao (M.W. 1) has stated that none of the casual labourers is employed on a project of temporary nature. According to him, the work done by the casual labourers is routine work of the department. As such from the evidence of the witnesses of the management itself, it is proved that there is no difference between the work done by the labourers designated as casual and regular labourers. The nature of the job is the same and the job is of a technical nature requiring training. It has also been proved that the labourers employed as casual labourers are employed on the routine nature of job of the department and they do not work on any particular project or temporary nature of work.

17. In the light of the aforesaid evidence, there is no escape from a conclusion that the nature of the work of the workers designated as casual workers is not of a casual or temporary nature. The workers designated as casual labourers have been employed to work on the perennial nature of job and they do the same work as is being done by the labourers who have been designated as permanent labourers.

The management was asked to show whether there were any rules about the regularisation of the workers employed as casual workers, but the management has stated that there are no such rules in the department. I kept the case pending for a long time to give an opportunity to the management to show if there are even some departmental instructions in this regard. But the management could produce any departmental instructions about the regularisation of the labourers employed as casual labourers.

In the absence of any rules or certified Standing Orders, aid has to be sought from the Model Standing Orders under the Industrial Employment (Standing Orders) Act 1946. As the workmen employed as casual labourers are not governed by the Fundamental Rules, Supplementary Rules, Civil Services (Classification Control and Appeal) Rules, Civil Services (Temporary Service) Rules, Revised Leave Rules, Civil Services Regulations and as the department has not framed any rules or regulations the provisions of Clause 13B of the Industrial Employment (Standing Orders) Act, 1946 do not impose an interdict to the application of the Model Standing Orders in the case of the employees designated as casual labourers. Therefore the provisions of the Model Standing Orders shall be applicable and the workmen employed as the casual workmen shall be governed by the Model Standing Orders. I am fortified in my view by the judgment of the Supreme Court in U.P. Electricity Board and others Vs. Hari Shanker Jain and others (1978 (37) FLR p. 280).

According to the Model Standing Orders a workmen has to be classified as (1) Permanent (2) Probationers, (3) Badlis (4) Temporary (5) Casual (6) Apprentices. A casual workman is a workman who is employed for a job of casual nature, a temporary workman is a workman who has been engaged for a work which is of an essentially temporary nature likely to be finished with a limited period.

It has been held above that the workmen designated as casual workmen were neither employed casually nor on a temporary nature of job. As such, they neither can be held to be casual labourers nor temporary workmen. It has also been held above that the nature of their work is perennial and therefore they shall be deemed to have been employed on permanent nature of job and as such

can be treated the most probationers initially, and then permanent workmen. Therefore the demand of the Union for regularising the services of the workmen designated as casual workmen after completion of 240 days of work in a period of 12 calendar months, cannot be held to be unjustified.

19. Point No. 3 :—It has been held above that all the workmen designated as casual workmen are actually doing the same job as is being done by the regular workmen and they have not been employed on a job of casual or temporary nature. Therefore there is no difference between the nature of the work done by the permanent workmen and casual workmen. The nature of the job being same, the workmen designated as casual workmen are paid lesser wages only on this ground that the permanent workmen are subject to the disciplinary control of the management, whereas there is no such control of the casual workmen.

In my view, the discrimination is not based on any sound principle. It is true that the workmen employed as permanent workmen are subject to the disciplinary control but at the same time they have the protection of rules and no workman can be suspended or removed from service except after following the procedure laid down in the rules by which the permanent workmen are governed. Whereas if a workman designated as casual workman misbehaves or disobeys or commits any act of misconduct he can be removed from the services without following any rule or procedure. As such according to me, the latter is under a greater disciplinary control of the management and despite doing the same job as is being done by the workmen designated as permanent workmen; he lingers in a state of uncertainty and suspense. As such there can be no justification for paying less to a workman who although does the same job as the other but has no guarantee of his service and is also not entitled to other benefits of the permanent service. Thus, in view of the nature of the work the workmen who are designated as casual workmen but are actually made to do the same work as is being done by the permanent workmen are entitled to the same wages as are being paid to the permanent workmen.

20. Point No. 4 :—In view of the findings on points Nos 2 and 3 the reference is answered as under :—

The demand of the casual workmen in Nagpur District Telephones for regularisation of the services of the workmen after completion of 240 days of work within a period of 12 calendar months is justified and the workmen on the basis of the nature of their work are entitled to get the same pay as is being paid to the regular workmen. The Union shall be entitled to get Costs of Rs. 250 from the management.

6-10-1980.

A. G. QURESHI, Presiding Officer.
[No. L-40011(5)/76-D. II(B)]

S.O. 3105.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal Jabalpur, in the Industrial dispute between the employers in relation to the management of the Nagpur, Telephone District and their workmen, which was received by the Central Government on the 15th October, 1980.

BEFORE SHRI A.G. QURESHI, M.A. L.L.B. PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT JABALPUR (M.P.)

Case No. CGIT(LC(R)(43)/1978

PARTIES:

Employers in relation to the management of the Nagpur, Telephone District and their workmen represented through the Working President, Nagpur Telephones Casual Labour Union, Sarode Building, Near Corporation Primary School, 10 No. Bridge, Indora Nagpur (M.P.)

APPEARANCES :

For Union

Shri N.H. KUMBHARE,
Advocate.

For Management

Shri R.R. Deshpande,
Advocate.

INDUSTRY : Telephones

DISTRICT : Nagpur (M.S.)

Dated : October 6th, 1980

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred by Clause 10(1)(d) of the Industrial Disputes Act, 1947 has referred the following dispute for adjudication to this Tribunal vide its Order No. L-40012(2)/76-D.II(B) Dated 14th August, 1978 :

“Whether the action of the management of Nagpur Telephone District, Nagpur in stopping from work the undermentioned casual workmen with effect from the 10th August, 1976 is legal and justified? If not, to what relief are these workmen entitled ?”

Name of the workmen

1. Shri Bansilal Kokode.
2. Shri Ashok Pillaywar.
3. Shri Krishna Uikay.
4. Shri Hanumanta Ingole.
5. Shri Domaji Patil.
6. Shri Hemraj Dhamgaye.
7. Shri Haribhau Dhole.
8. Shri Dinkar Thakre.
9. Shri Devnand Badtaj.
10. Shri Jagan.
11. Shri Nathu.
12. Shri Bhsakar Jaitram.
13. Shri Shek Ahmed.

2. The case of the Union as stated in the statement of claim in short is that the workmen whose names are given in the Schedule were employed in the Nagpur Telephone District, Nagpur. The work of these workmen mainly consisted of installation and removal of telephones, attending to the complaints, removing the defects and faults, laying of cables and to do all other incidental work including earth cutting. The total strength of the workers employed in the Nagpur District Telephones was about 250 out of which 150 workers were classified as regular and others were designated as casual workers. The workmen have been in continuous employment ranging from 2 years to 8 years and they were in continuous employment so much so as they have put in 240 days work in each year of service. The workers listed in the Schedule annexed with the order of reference were employed to do work which essentially forms part of the work arrived on by the management of Nagpur District Telephones. The management of Nagpur District Telephones removed all the aforesaid workers from work from 10-8-1976. They were not served with any written order of removal but were orally informed that there is no work for them. These workers were picked up for dispensing with their services, while those juniors in service were allowed to be retained. At the time of the removal no retrenchment compensation was paid to the workmen. As such the removal of the workmen from the service is arbitrary and contrary to law. Therefore the workmen are entitled to

reinstatement with full back wages. According to the Schedule annexed to the statement of claim each of the workmen had put in the following years of service till the date of their removal :

Sl. No.	Name of workers	Length of service
1.	Sari Bansilal Kokode	8 years
2.	Shri Ashok Pilleywar	4 years
3.	Shri Krushna Ukey	3 years
4.	Shri Hanumanta Ingole	2 years
5.	Shri Domaji Patil	8 years
6.	Shri Hemraj Dhingayee	4 years
7.	Shri Shri Haribhau Dhote	5 years
8.	Shri Dinkar Thakre	3 years
9.	Shri Devanand Badtaj	3 years
10.	Shri Jagan	3 years
11.	Shri Nathu	3 years
12.	Shri Bhaskar Jairam Mate	4 years
13.	Shri Sekh Ahmed Shekh Mehtab	4 years.

3. The management resisted the claim of the workmen by filing the counter statement of claim in which the management has averred that except S/Shri Nathu, Hemraj, Dhingayee, Devanand Badtaj and Jagan the Department. They were employed on daily wages on routine maintenance of assets like cleaning and polishing floors, windows etc, outward cleaning of assets, assistance to electricians, wiremen, linemen, cable jointers etc. None of the workmen was employed for installation or removal of telephones or attending to complaints, removing the defects and faults of earth cables. According to the management the number of days for which the mazdoors were employed upto August 1976 is as under :—

(1) Shri B. Kokode	2388 days
(2) Shri Ashok Pilleywar	1318 days
(3) Shri Krishna Ukey	215 days
(4) Shri Hanumanta Ingole	286 days
(5) Shri Domaji Patil	1785 days
(6) Shri Haribhau Dohte	59 days
(7) Shri Dinkar Thakre	69 days
(8) Shri Bhaskar Jairam Mate	300 days
(9) Shri Sk. Ahmed S.k Mehtab	93 days

4. It has further been pleaded that casual mazdoor, Shri B. Kokode was removed due to reason that he was not punctual in attendance and was careless. Shri Ashok Pilleywar and Domaji Patil were found unfit for the job hence they were removed. The other mazdoors were removed because they had less number of days' service and they were found surplus. All of them being casual mazdoors their appointment was on daily wages and was renewed every day. Therefore the continuous work of 240 days in a year does not confer on them any right for regular employment. It has been denied that the work of the workmen forms an essential part of work carried on by the management of Nagpur District Telephones Company. On the other hand, these mazdoors were expected to do any sort of purely unskilled work which any ordinary mazdoor can do, as per direction of the management. As the labourers are appointed on a casual basis no order of appointment was given to them and therefore a written order of removal from service or a notice was also not necessary while discontinuing them from the work.

5. A legal objection has also been raised by the management that Post and Telegraphs Department is not an industry within the meaning of Section 2(j) of the Industrial Disputes Act 1947. Hence this Tribunal has no jurisdiction to try this case. Therefore this case is liable to be dismissed for want of jurisdiction.

6. My learned predecessor vide his order dated 20-12-1978 directed the management to furnish further details. Thereupon the management filed additional statement of claim stating therein that the workmen worked for the following number of days :—

1. Shri Bansilal Kokode	2388 days
2. Shri Ashok Pilleywar	1318 days
3. Shri Krishna Bisen Ukey	310 days
4. Shri Hanumanta Ingole	317 days
5. Shri Domaji Patil	1921 days
6. Shri Haribhau Dhote	61 days
7. Shri Dinkar Thakre	172 days
8. Shri Bhaskar Mate	721 days
9. Shri Sk. Ahmed Sk. Mehtab	93 days.

It was also mentioned by the management their date of first appoint is as under :—

Sl. No.	Name of Casual Mazdoor	Date of first employment (approximate).
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1. Shri Bansilal Harba Kokode	4-9-1969
2. Shri Ashok Pandhari Pilleywar	18-4-1972
3. Shri Krishna Bisen Ukey	3-10-1975
4. Shri Hanumanta Ingole	1-9-1975
5. Shri Domaji Chindhabai Patil	May 1970
6. Shri Haribhau Mahadeo Dhote	8-6-1976
7. Shri Dinkar Baburao Thakre	Sep. 1975
8. Shri Bhaskar Jairam Mate	10-11-1972
9. Shri Sheikh Ahmed Sk. Mehtab	5-5-1976

About the remaining two mazdoors Shri Hemraj and Shri Devanand it was averred that they were not in employment of the management and the details of two other workmen Shri Jagan and Shri Nathu were not available with the management as the Union has not given full details of these two workmen.

7. After reverification of record the management further pleads that Shri Bansilal Shri Ashok Pileywar and Shri Domaji Patil were in employment on 11th and 10th August, 1975 respectively. The Casual Mazdoors worked from 11-8-1975 to 10-8-1976 for the number of days as stated below :—

Sl. No.	Name of Mazdoors	No. of days worked from 11-8-1975 to 10-8-1976
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1. Shri Bansilal Harba Kokode	342 days.
2. Shri Ashok Pandhari Pilleywar	283 days.
3. Shri Krishna Bisen Ukey	310 days
4. Shri Hanumanta Ingole	332 days.
5. Shri Domaji Chindhabai Patil	344 days.
6. Shri Haribhau Mahadeo Dhote	61 days.
7. Shri Dinkar Baburao Thakre	172 days.
8. Shri Bhaskar Jairam Mate	328 days.
9. Shri Sk. Ahmed Sk. Mehtab	93 days.

The management further pleaded that there are no specific rules governing the employment of casual mazdoors in the department. Casual mazdoors are employed daily as per requirements of the department from a list prepared by the local Employment Exchange. No departmental enquiry was held in cases of Shri Bansilal and Shri Ashok Pandhari Pillarwar as it was not necessary. There is no sanctioned strength of casual mazdoors in the department. The employment depends upon

the daily work load and the requirement of the department. The casual mazdoors are appointed from time to time. According to the requirements on the basis of various maintenance new work in hand and as such there is noting like sanctioned strength for these casual mazdoors. As such they are employed and removed according to the needs of the department.

8. The department on 20-7-1979 again filed an amended to the original and second reply and submitted that the records were again verified on the basis of the information given by the President, of the Nagpur Telephones Casual Labour Union Nagpur and it was found that Shri Bansilal Kokode Shri Ashok Pandhari Pillewar, Shri Domaji Patil and Shri Bhaskar Jairam Mate had worked for 2388 days, 1318 days, 1318 days, 1921 days and 721 days respectively upto August 1976. Shri Krishna Bisan Ukey, Shri Hanumanta Ingole Shri Haribhau Dhotre and Shri Sk. Ahmed Sk. Mehtab had worked for 1710 days, 624 days, 718 days, 788 days and 954 days respectively.

9. According to the management, on reverification of the dates of first appointment it was found that the dates of first appointment of Shri Bansilal Kakode, Shri Ashok Pandhari Pillewar, Shri Domaji Patil and Shri Bhaskar Mate are 4-6-1969, 18-4-1972, 1-9-1975 and 10-11-1972 i.e. according to what had been stated earlier. But the dates of first appointment of Shri Krishna Bisan Ukey, Shri Hanumanta Ingole, Shri Haribhau Dhotre, Shri Dinkar Thakre and Shri Sk. Ahmed are August 1973, January 1972, July 1970, April 1973 and May 1972 respectively.

10. On the pleadings of the parties the following issues were framed by my learned predecessor for deciding this dispute :—

ISSUES

1. Whether the stoppage of work as contemplated in reference was legally justified and proper ?
2. Whether the employer is an industry ?
3. Relief and costs ?

My findings with reasons on the above issues are as under :—

11. ISSUE NO. 2.—The learned Counsel for the management relying on the opinion of the Law Ministry contained in Ex. W/2 has argued that P & T Department is not an 'industry'. On the other hand, learned Counsel for the Union has submitted that the view of the Law Ministry was based on an earlier decision of the Supreme Court. But in view of the recent judgment of the Supreme Court in Bangalore Water Supply & Sewerage Board Vs. A. Rajappa (AIR 1978 SC 549) Post and Telegraph Department is an industry.

In my opinion, the judgment of the Supreme Court in Bangalore Water Supply case (supra) has set the controversy about the definition of the 'industry' at rest and interpreting the definition of the industry, it has been held that :—

"The industry as defined in Sec. 2(j) of the Industrial Disputes Act has a wide import. Where there is systematic activity organised by Cooperation between employer and employee for the production and/or distribution of goods and services calculated to satisfy human wants and wishes (not a spiritual or religious but inclusive of material things or services geared to celestial bliss) *prima facie* there is an industry in the enterprise. Absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint, private or other sector. The true focus is functional and decisive test is the nature of the activities with the social emphasis of employer and employees relationship. If the organisation is a trade or business it does not cease to be one because of philanthropy animating the undertaking."

It has further been held that "sovereign functions strictly understood alone qualify for exemption, not the welfare activities or economic adventures undertaken by Government or statutory bodies".

12. In the light of the aforesaid decision of the Supreme Court, if we examine the activities undertaken by the post and Telegraph Department, it is plain that they cannot be treated as a regal or sovereign function of the State. Post and Telegraphs Department carries on an undertaking rendering material service to the community at large. Such public utility services can be carried on by private companies also. Owning and running the telephone and telegraphs services by a private company is not unknown in some countries. Bell Telephone Company of the United States of America can be quoted as an example.

A similar plea as raised by the P & T Department before this Tribunal was also raised in the case of K. R. B. Kaimal and another Vs. Director of Postal Services Trivendrum (1978 (37) F.L.R. p. 379) in which the Kerala High Court following the judgment of the Supreme Court in the Bangalore Supply Company's case (supra) has held as under :—

"A public utility service like the postal, telegraph of telephone etc. will come within the ambit of the word industry as defined in the Act. The respondents are in error in considering that the rules framed under Article 310 and 311 could be considered to be legislative provisions in the same field removing from the scope of the Act categories which otherwise may be covered thereby. Justice Chandrasekara Iyer of the Supreme Court has observed in the earlier case of D. N. Banerji Vs. P. R. Mukherjee, to which view Justice Krishna Iyer of the Supreme Court speaking for the majority in Bangalore Water Supply and Sewerage Board Vs. A. Rajappa, gives full support that a public utility service such as railways, telephones and the supply of power, light or water to the public even if it is carried on by corporations would be an industry coming within the ambit of the Act. Such activities cannot be considered to be sovereign or regal functions and solely because rules are framed under Articles 309 and 310 of the Constitution governing such employees, they will not be taken out of the scope of the Act. This is clear from certain other provisions of the Act itself. Framing of rules by the Government for its servant functioning in a public utility service as post and telegraph, telephones or railway will not in any manner entrench on the fields occupied with settlement of Industrial Disputes Act which is a special legislation dealing with settlement of industrial dispute."

13. In view of the dictum of the Supreme Court in Bangalore Water Supply & Sewerage Company's case (supra) followed by the Kerala High Court in K. R. B. Kaimal's case (supra) there can be no room of doubt that the public utility services of the Post & Telegraphs & Telephones Department is an 'industry' within the meaning of Sec. 2(j) of the Industrial Disputes Act 1947.

Therefore, I hold that the Post and Telegraphs Department is an industry.

14. ISSUE NO. 1 : In support of its case the Union has examined Shri Bansilal, one of the concerned workmen who has stated that he along with Shri Ashok Pillewar, Shri Krishna Ukey, Shri Domaji Patil, Shri Dinkar Thakre, Shri Bhaskar Jairam and Shri Sk. Ahmed used to work as labourers with Nagpur Telephones. This workman was employed for a period of 8 years continuously and his services had been terminated with effect from 10-8-1976. Before the termination of his services the management did not give him any notice or charge-sheet and also did not pay him any compensation. The services of this witness and his co-workmen were terminated without any notice and after their termination, fresh appointments of other persons were made and this witness and his co-workmen were not even called for employment. This witness further states that the employment of all the workers was continuous. In the Telephone Department the workers generally do the work of installation of telephones, erection of pillars, digging holes, and laying of telephones lines. This witness and his co-workers were doing the same job as the other labourers employed as regular labourers were doing.

In cross-examination Shri Bansilal states that before his appointment, his name was sent by the Employment Exchange and he was appointed to work after an interview. His co-

workers were also employed similarly. He and his co-workmen were doing the work of erection of poles, digging of pits, laying of lines and installation of telephones. This witness denies the suggestion that his services were terminated because he was irregular or was negligent in his work. He also denies the suggestion that his co-workers were irregular or negligent in their work.

15. The management has not examined any witness in support of its case. No documents have been produced by the parties. As such the whole case has to be decided on the pleadings of the parties and evidence of Shri Bansilal. My learned predecessor directed the management to produce some rules regulating the work of casual workmen. But it was stated by the management that no such rules exist. I also kept the case pending for a very long time for giving an opportunity to the conditions of the concerned workmen. But the management was not in a position to show any rule except the extra of P & T Manual Vol. X in which Rules 151, 192 and 193 contain instructions for employment of labourers.

16. For deciding issue No. 1, first of all it has to be seen whether the work of the concerned workmen who were designated as casual labourers, is essentially of a casual nature. The witness of the Union, Shri Bansilal, has stated that all the workers designated as casual labourers were doing the same work as was being done by the regular workmen. According to him, they were doing the work of installation of telephones, erection of pillars, digging of pits and laying the telephone lines etc. The statement of this witness is unrefuted and no documentary or oral evidence has been adduced by the management to show that the labourer designated as casual labourers were not doing the same job as was done by the regular workers. The management has also not cared to show that the workmen were employed on a project of temporary nature or were picked up as extra hands casually to do some casual type of work. It has come in evidence of Shri Bansilal and there is an admission in the statement of claim of the management that except for four workmen Shri Hemraj, Shri Dewanand, Shri Jagan and Shri Nathu all the other workmen listed in the schedule were working in the Nagpur District Telephones as labourers for a long period. The total working days ranging from 2388 days to 710 days. Shri Bansilal further states that they have been working continuously as labourers and that after the termination of the services of the concerned workmen the management employed other labourers in their place.

17. From the above evidence, it is manifest that the workmen Shri Bansilal Kokode, Shri Ashok Pilleywar, Shri Krishna Ukey, Shri Hanumanta Ingole, Shri Domaji Patil, Shri Haribhau Dhote, Shri Dinkar Thakre, Shri Bhaskar Jairam and Shri Sk. Ahmed were employed by the management to do perennial nature of job and they were doing the same job as was done by the regular workmen. It has also been proved that these workmen were working in the industry for a period ranging from 8 years to 2 years. According to the management itself, Shri Bansilal Kokode had completed 2388 days, Sri Ashok Pilleywar 1318 days, Shri Domaji Patil 1921 days, Shri Bhaskar Mate 721 days, Shri Krishna Ukey 710 days, Shri Hanumanta Ingole 624 days, Shri Haribhau Dhote 718 days, Shri Dinkar Thakre 788 days and Shri Sk. Ahmed 924 days till 10th August 1976, viz. the date of discontinuance of their services by the management. According to Shri Bansilal all these workmen were working continuously without any break till the discontinuance of their services. The management has not proved that any of the aforesaid workmen has not completed 240 days of continuous service in 12 calendar months preceding the date of the discontinuance of their services.

As such I hold that Shri Bansilal Kokode, Shri Ashok Pilleywar, Shri Krishna Ukey, Shri Hanumanta Ingole, Shri Domaji Patil, Shri Haribhau Dhote, Shri Dinkar Thakre, Shri Bhaskar Jairam and Shri Sk. Ahmed were employed by the department on the perennial nature of job as workmen and that they were in continuous service of the management for a period of more than one year preceding the date of their termination from services and it is further held that each one of the aforesaid workmen had completed more than 240 days of uninterrupted services in the 12 calendar months proceeding the date of their discontinuance from service.

18. In view of the nature of the work of the workmen and the length of the service of the aforesaid workmen, it was necessary for the management to comply with the provisions

of Sec. 25F of the Industrial Disputes Act 1947 and to give them a month's notice or wages in lieu of notice period. Neither the notice as contemplated in Sec. 25F of the Industrial Disputes Act had been given by the management nor any compensation in lieu of the notice had been paid. Three conditions as prescribed by Clause (a), (b) and (c) of Sec. 25F of the Industrial Disputes Act 1947 are condition precedent before retrenching an industrial worker. But it is undisputed before me that the management did not follow the provisions of Sec. 25F of the Industrial Disputes Act. The action of the management in discontinuing the services of the aforesaid 9 workmen is, therefore, illegal being in violation of the provisions of Sec. 25F of I.D. Act. The retrenchment of the 9 employees viz. S/Shri Bansilal Kokode, Ashok Pilleywar, Krishna Ukey, Hanumanta Ingole, Domaji Patil, Haribhau Dhote, Bhaskar Jairam, Dinkar Thakre and Sk. Ahmed being illegal, they are entitled to reinstatement. As regards the remaining 4 workmen S/Shri Hemraj Dhamgaye, Dewanand Badtaj, Jagan and Nathu, there is nothing on record to show that they were employed by the management as labourers to do any work. Therefore the aforesaid 4 workmen are not entitled to any relief.

19. ISSUE No. 3 : In view of the findings on Issue No. 1, it is held that the action of the management of Nagpur District Telephone Nagpur in stopping from work the workmen S/Shri Bansilal Kokode, Ashok Pilliywar, Krishna Ukey, Hanumanta Ingole, Domaji Patil, Haribhau Dhote, Dinkar Thakre, Bhaskar Jairam and Sk. Ahmed, with effect from 10-8-1976 is not legal; hence not justified. All the aforesaid 9 workmen are, therefore, entitled to reinstatement.

Four workmen referred in the schedule viz. S/Shri Hemraj Dhamgaye, Dewanand Badtaj, Jagan and Nathu have not been proved to be the employee of the management. Hence they are not entitled to any relief.

Normally, the order of reinstatement should be followed by an order, awarding full back wages. But in view of the fact that the dispute remained pending for a long time before the Tribunal and conciliation authorities, I deem it proper to award 50 per cent of the back wages to the workmen. The basis of the computation of the wages will be the actual wages drawn by the workmen on the date of the termination of their services. The management shall pay a costs of Rs. 150 to the union.

Dated 6-10-1980

A. G. QURESHI, Presiding Officer
[No. L-40012(2)/76-D. II(B)]

प्रत्येक

नई विल्ली, 24 अक्टूबर, 1980

का० आ० 3106.—केन्द्रीय सरकार की यह राय है कि इससे उपायुक्त प्रन्तुष्ठी में विनिविष्ट विषय के बारे में भागीदार व्यापार नियम, हैदराबाद प्रबंधनतः से सम्बद्ध एक औद्योगिक विवाद नियोजकों और उनके कर्मकारों के बीच विद्यमान है;

और केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करमा यांचनीय ममती है;

अतः यदि, केन्द्रीय सरकार, औद्योगिक विवाद अधिनियम, 1947 (1947 की 14) की भारा 7-क और भारा 10 की उपधारा (1) के खंड (ब) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एक औद्योगिक अधिकरण गठित करती है जिसके पीठासोन अधिकारी श्री शी. नीलावरी रा होगे, जिसका मुख्यालय हैदराबाद में होगा और उक्त विवाद को उक्त औद्योगिक अधिकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“वया क्षेत्रीय प्रबन्धक, भारतीय व्यापार नियम, हैदराबाद (आन्ध्र प्रदेश) की श्री एम. शंकर, भूतपूर्व हैदराबाद की सेवाओं को पहली अगस्त, 1976 से समाप्त करने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुसूची का हकदार है?”

[सं. एम. 42012/24/79-डी-II(भी)]

एस. एम. भला, डेस्क अधिकारी

ORDER

New Delhi, the 24th October, 1980

S.O. 3106—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Food Corporation of India, Hyderabad, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri V. Neeladri Rao shall be the Presiding Officer, with headquarters at Hyderabad and refers the said dispute for adjudication to the said Tribunal.

THE SCHEDULE

“Whether the Regional Manager, Food Corporation of India, Hyderabad (A.P.) is justified in terminating the services of Shri M. Shankar, ex-helper with effect from 1-8-1976 ? If not, to what relief is the workman entitled ?”

[No. L-42012(24)/79-D. II(B)]

S. S. BHALLA, Desk Officer

आवेदन

तर्ह दिल्ली, 23 अक्टूबर, 1980

क्र.०प्रा० 3107—भारत सरकार के मुकालीन श्रम और रोजगार मन्त्रालय की प्रधिकृत्या मंडल्य का०प्रा० 1034 तारीख 3 अप्रैल, 1962 द्वारा गठित श्रम न्यायालय, कलिंग के पीठासीन अधिकारी का पद रिक्त हुआ है;

अतः, अब ग्रौंडिंगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 8 के उपबन्धों के अनुसरण में केन्द्रीय सरकार श्री एम० राघवन को 28-8-1980 से उक्त श्रम न्यायालय के पीठासीन अधिकारी के रूप में नियुक्त करती है।

[संख्या एस-11020/9/80-डॉ०-1(ए)]

ORDER

New Delhi, the 23rd October, 1980

S.O. 3107—Whereas a vacancy has occurred in the Office of the Presiding Officer of the Labour Court, Quilon, constituted by the notification of the Government of India in the then Ministry of Labour and Employment No. S. O. 1034 dated the 3rd April, 1962;

Now therefore in pursuance of the provisions of section 8 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby appoints Shri M. Raghavan, as the Presiding Officer of the said Labour Court with effect from the 28-8-1980.

[No. S-11020/9/80-D. I(A)]

तर्ह दिल्ली, 28 अक्टूबर, 1980

क्रा०प्रा० 3108—केन्द्रीय सरकार से यह समाधान हो जाने पर कि लोकहित में ऐसा करना अपेक्षित था, ग्रौंडिंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (५) के उपखण्ड (vi) के उपबन्धों के अनुसरण में भारत सरकार के श्रम मन्त्रालय का प्रधिकृत्या संलग्न का०प्रा० 1136, दिनांक 23 अप्रैल, 1980 द्वारा किसी भी तेल थोक की सेवा को उक्त अधिनियम के प्रयोजनों के लिए 10 मई, 1980 से छांमास की कालाशधि के लिए लोक उपयोगी सेवा घोषित किया था,

और केन्द्रीय सरकार की राय है कि उक्त कालाशधि को छ मास की ओर कालाशधि के लिए बदला जाना अपेक्षित है।

अतः ग्रब ग्रौंडिंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 2 के खण्ड (५) के उपखण्ड (vi) के परन्तुक द्वारा ग्रवल शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त उद्योग को उक्त अधिनियम के प्रयोजनों के लिए 10 अक्टूबर, 1980 से छ मास का ग्रब कालाशधि के लिए लोक उपयोगी सेवा घोषित करती है।

[संख्या 11017/5/80-डॉ० 1 (ए०)]
एल० के० नारायणन, ग्रब सचिव

New Delhi, the 28th October, 1980

S.O. 3108—Whereas the Central Government having been satisfied that the public interest so required had, in pursuance of the provisions of sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), declared by the notification of the Government of India in the Ministry of Labour No. S. O. 1136 dated the 23rd April, 1980, the service in any oil field to be a public utility service for the purposes of the said Act, for a period of six months, from the 10th May, 1980;

And whereas, the Central Government is of opinion that public interest requires the extension of the said period by a further period of six months;

Now, therefore, in exercise of the powers conferred by the proviso to sub-clause (vi) of clause (n) of section 2 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby declares the said industry to be a public utility service for the purposes of the said Act, for a further period of six months from the 10th November, 1980.

[No. S-11017/5/80-D. I(A)]
L. K. NARAYANAN, Under Secy.

आवेदन

तर्ह दिल्ली, 24 अक्टूबर, 1980

क्रा०प्रा० 3109—केन्द्रीय सरकार की राय है कि इससे उपायद मनुसूची में विनियिष्ट विषय के बारे में मैसर्स एमोसिएटिड सीमेंट कम्पनी लिं. के प्रबन्धताल से सम्बद्ध एक ग्रौंडिंगिक विवाद नियोजितों ग्रब और उतके “कर्मकारों के बीच विवादान है;

ग्रब और केन्द्रीय सरकार उक्त विवाद को न्यायित्यन के लिए निर्देशित करना बांधनीय समझती है;

अतः, केन्द्रीय सरकार, ग्रौंडिंगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क ग्रब धारा 10 की उपधारा (1) के खण्ड (८) द्वारा ग्रब शक्तियों का प्रयोग करते हुए, एक ग्रौंडिंगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री टी० सुन्दरमनम डेनिपल होगे, जिसका मुख्यालय मद्रास में होगा और उक्त विवाद को उक्त ग्रौंडिंगिक अधिकरण को न्यायित्यन के लिए निर्दिष्ट करती है।

अमृसूची

“क्या एसोसिएटेड सीमेंट कम्पनी लिं. मूलकराई के प्रबन्धताल की मूलकराई और बालायर स्टोन फैब्रिक के नियोजित ब्लास्टरों को लागू अच्छा कार्य बोनस (प्रोत्साहन) योजना 11-6-1979 से अपने परिवर्तन नोटिस तारीख 18-5-79 द्वारा बापस लेने की कार्रवाई न्यायोचित है ? यदि नहीं, तो संबंधित कर्मकार किस अनुत्तरों के हमें दावा करता है ?

[संख्या एल० 29011/48/80-डॉ०-३ वी)]
एल० के० राय, ग्रब सचिव

ORDER

New Delhi, the 24th October, 1980

S.O. 3109—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of M/s. Associated Cement Companies Limited and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now therefore, in exercise of the powers conferred by section 7A, and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri T Sundarsanam Daniel shall be the Presiding Officer, with headquarters at Madras and refers the said dispute for adjudication to the said Tribunal.

SCHEDULE

'Whether the action of the management of the Associated Cement Companies Limited, Madukkarai in with drawing the scheme of Good Work Bonus (incentive) with effect from 11-6-1979 by their notice of change dated 18 5 1979 applicable to the Blasters employed in Madukkarai and Walayar Stone Quarries is justified? If not, to what relief the said workmen are entitled?"

[No. L-29011/48/80-D. III(B)]

A. K. ROY, Under Secy

नई दिल्ली, 25 अक्टूबर, 1980

का०आ० 3110 —केन्द्रीय सरकार, चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) की धारा 10 के अनुसरण में, विसीय वर्ष 1978-79 के दौरान उक्त अधिनियम के प्रधीन अधिकारी अपने कियाकालों का चून देते हुए उस वर्ष के लेखा विवरण के साथ विस्तृत रिपोर्ट प्रकाशित करती है --

सामान्य चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि, चूना पत्थर और डोलोमाइट खान श्रम कल्याण निधि अधिनियम, 1972 (1972 का 62) के प्रधीन गठित की गई थी, जिसमें किसी खान से उत्पादित उत्तरे चूना पत्थर और डोलोमाइट पर, जिसका चूना पत्थर और डोलोमाइट खानों से नियोजित अधिनियम के कल्याण की अभिवृद्धि करने के लिए :-

(i) किसी कारबाने के अधिकारों को विक्रय किया जाता है या अन्यथा व्यवन किया जाता है, या

(ii) किसी खान के स्वामी हारा सीमेट, लोहा या इस्पात के निर्माण में किसी प्रयोजन के लिए उपयोग में लाया जाता है।

प्रधास्थिति चूना पत्थर या डोलोमाइट पर एक रुपया प्रति मीटरी टन से अधिक दर से उत्पाद गुरुक के उद्ग्रहण और संप्रहण की अवस्था की गई है। इस समय उद्ग्रहण की वास्तविक दर बीस पैसे प्रति मीटरी टन है। उपयोग के आवश्यक मुख्यत लोक स्वास्थ्य और स्वच्छता में सुधार चिकित्सा सुविधाओं की अवस्था, आवास और पीयन कार्यक्रमों, प्रादि के लिए प्रार्थिक सहायता देने के लिए उपयोग में लाए जाते हैं।

2 प्रार्थिक सुविधाओं के लिए, उत्तीर्ण राज्यों और सभ शासित क्षेत्र गोवा और दिल्ली को, जिसमें लेखा की चूना पत्थर और डोलोमाइट खाने हैं, पाच क्षेत्रों में बाटा गया है और इन क्षेत्रों के कल्याण आयुक्तों को इस अधिनियम और इसके प्रधीन बनाने गए नियमों को लागू करने के लिए कल्याण और उपकार आयुक्तों के रूप में नियुक्त किया गया है। क्षेत्रों का आवास इह प्रकार किया गया है --

भारत पदानाम और अधिकारी मूल्यालय उनके शोकाधिकार में आने आले राज्य

1	2	3	4
1 कल्याण आयुक्त, अबलपुर श्रम मंत्रालय, भारत सरकार, जम्मू और कश्मीर, और संघ शासित क्षेत्र गोवा।	मध्य प्रदेश, महाराष्ट्र और असम शासित क्षेत्र गोवा।		
2 कल्याण आयुक्त, अबनेश्वर श्रम मंत्रालय, भारत सरकार, भुवनेश्वर।	उडीसा, पश्चिम बंगाल और असम शासित क्षेत्र गोवा।		
3 कल्याण आयुक्त, बंगलादेश श्रम मंत्रालय।	बिहार, उत्तर प्रदेश, जम्मू और कश्मीर, और संघ शासित क्षेत्र गोवा।		

1	2	3	4
4 कल्याण आयुक्त, अबनेश्वर श्रम मंत्रालय, भारत सरकार, बंगलादेश।	राजस्थान, गुजरात, हरियाणा, पंजाब और हिमाचल प्रदेश।		
5 कल्याण आयुक्त, बंगलादेश श्रम मंत्रालय, भारत सरकार, बंगलादेश।	तमिलनाडु, कर्नाटक और अन्ध्र प्रदेश।		

चूना पत्थर और डोलोमाइट खानों के श्रमिकों के लिए विस्तृत कल्याण सुविधाओं की अवस्था की गई है :

(क) स्वास्थ्य

चिकित्सा सुविधाएं --प्राट ग्राउंडिंग शोषधालय, गोवा (राजस्थान), प्रस्थान (राजस्थान), छोटा नामपुर (गुजरात), फालोदी ब्यारी (राजस्थान), पथरिया खान (मध्य प्रदेश) बड़ाबुद्दार, मुगवारा, मटियालालपुर में एक-एक और 10 एकड़ियों शोषधालय --बेहराहू (उत्तर प्रदेश), मिजिपुर (उत्तर प्रदेश), बन्जरी गिरा 17.15 (बिहार), रामस्वामी राजानगर गमनड (नामनगड़), बुकदा (राजस्थान), रानाबाब (गुजरात), गावु (गुजरात) बुलारपुर खान (गुजरात) मेहांब और जम्मूपुर (मध्य प्रदेश) में एक एक काम अरते रहे। हमें 1.5 लाख से अधिक मरीजों का सेवा की। हमें अतिरिक्त, एक प्रमुख व बाल कल्याण कान्दा (उडासा) ने 3,300 श्रमिकों के पारवारों के 10,000 लाभ प्रदान की।

मैसर्स ए०सी०सी० पाहाड़वाड, ए०सी०सी० मधुकराहै, ए०सी०सी० गुलार्य और मैसर्स जयपुर उडासा विमिटेड, मवाईसाहोपुर के प्रबन्धन का अस्ताल के उपकरणों और शोषधालय भवनों के विस्तार के लिए 21,000 लघुयों के महायक अनुदान की अवस्था की गई।

शातक और गम्भीर दुर्बलना योजना के अस्तर्वत 18 व्यक्तियों को लाभ प्रदान किया गया और 61 तपेदिक से पीड़ित मरीजों के इलाज किया गया। बगलोर देश्र के लिए तपेदिक से पीड़ित मरीजों के लिए 6 पलग आरोपित किया गया है और तपेदिक से पांडित मरीजों के इलाज ही अवस्था करमा में स्थित अध्रक खान श्रम कल्याण संगठन के केन्द्रीय अस्ताल (तपेदिक अस्ताल) में की गई है। शी००८००८०० के एक एकड़े प्लाट में चूना पत्थर और डोलोमाइट खानों के 8,000 श्रमिकों को लाभ प्राप्त हुआ है।

शिक्षा --चूना पत्थर और डोलोमाइट श्रमिकों के पुत्रों और पुत्रियों को छावनीयता देने सब्धी योजना के अन्तर्गत 1,587 छावनीयता शी०८०८०८० की गई। इनमें से भीलवाडा क्षेत्र में 285, हलाहलवाड़ क्षेत्र में 94, बगलोर क्षेत्र में 810 जबलपुर क्षेत्र में 250 और भुवनेश्वर क्षेत्र में 148 दी गई।

आवास --डोलोमाइट विसीय वर्ष के दौरान विभिन्न क्षेत्रों में दार्दि-1 आवास योजना के अन्तर्गत 618 मकानों का निर्माण किया गया और विसीय वर्ष 1978-79 के अन्त तक (अपना मकान बनाओ योजना) की अन्तर्गत चूना पत्थर और डोलोमाइट श्रमिकों के लिए 1,212 मकानों की अवस्था की गई थी, चूना पत्थर और डोलोमाइट श्रमिकों द्वारा 8 मकानों का निर्माण किया गया था।

मनोरजन --वर्ष के दौरान विभिन्न स्थानों में 8 सिरेमा प्रोजेक्टरों (16 एम.एम.) और 9 रेडियो सेटों की स्थानों की गई। पहले के वर्षों में 17 प्रोजेक्टरों और 19 रेडियो सेटों की अवस्था भी की गई थी।

इसके प्रतिरिक्त, विभिन्न खान प्रबन्धनों द्वारा बनाए जा रहे कल्याण केन्द्रों की 16,344 लघुयों के महायक अनुदान की मजूरी की गई और विभिन्न क्षेत्रों में टूनमिटो तथा खेल कूद पत्तियोंगताओं के लिए 13,000 लघुयों की राशि मजूर की गई।

जल ग्रदाय—कर्मिक खेद के तुम्हारे जिले में सूर गांगेत लिपिडे को भैसर्वारकाटे चूना पत्थर और जोलोमाइट खान, अविल्यापत्तना—अस्मात्स्था की 40,318 रुपये की आर्थिक महायना की मंजूरी की गई है।

आर्थिकों को पेय जल की रक्षा करने के लिए 6 बाटर कूलरों का खरीद हेतु भीलवाड़ा खेद में खान प्रबन्धलंबों को 14,600 रुपये की आर्थिक सहायता मंजूर की गई और लम्बोधार चूना पत्थर खान, वैहारादून की खनिक कालोरी के लिए पार्स के पाइप की लाइन और पार्स के टैक की व्यवस्था करने के लिए उत्तर प्रदेश राज्य खनिक विकास निगम लिमिटेड को 46,517.50 रुपये मंजूर किया गया।

वर्ष 1978-79 का नेत्रा विवरण

1-4-1978 को अतिरिक्त	1,12,48,054.82
1978-79 के दौरान प्राप्तियां	70,31,667.90
1978-79 के दौरान व्यय	53,20,517.41
31-3-1979 को अतिरिक्त	1,29,59,205.31
[मा० जैद-16016/2/79-ए-5]	
व्यवस्था प्रभाद, अवर संचय	

New Delhi, the 25th October, 1980

S.O. 3110.—In pursuance of section 10 of the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972), the Central Government hereby publishes the following report giving an account of its activities financed under the said Act during the financial year 1978-79 together with the statement of accounts of that year :—

General.—The Limestone and Dolomite Mines Labour Welfare Fund was constituted under the Limestone and Dolomite Mines Labour Welfare Fund Act, 1972 (62 of 1972) which provides for the levy and collection of cess at a rate not exceeding one rupee per metric tonne on so much of limestone and dolomite produced in any mine.

- (i) as is sold or otherwise disposed of to occupier of any factory, or
- (ii) as is used by the owner of such mine for any purpose in connection with the manufacture of cement, iron or steel,

to promote the welfare of the persons employed in limestone and dolomite mines. The actual rate of levy presently is twenty paise per metric tonne. The proceeds of the cess are being utilised mainly for the improvement of public health and sanitation, provision of medical facilities, subsidy on housing and programmes of nutrition etc.

2. For administrative convenience, the nineteen States and Union Territories of Goa and of Delhi which have limestone and dolomite mines in the country, have been grouped into five regions and the Welfare Commissioners of the areas have been appointed as Welfare and Cess Commissioners for the enforcement of the Act and Rules framed thereunder. The allocation of the regions is as under :—

Sl. No.	Designation of the Officer	Headquarters Name of the States their jurisdiction.	
1	2	3	4
1.	Welfare Commissioner, Ministry of Labour, Government of India, Jabalpur.	Madhya Pradesh, Maharashtra and Jabalpur union Territory of Goa.	
2.	Welfare Commissioner, Ministry of Labour, Government of India, Bhubaneswar.	Bhubaneswar Orissa, West Bengal Assam, and Meghalaya.	

1	2	3	4
3. Welfare Commissioner, Ministry of Labour, Government of India, Allahabad.		Bihar, Uttar Pradesh, Jammu & Kashmir and Union Territory of Delhi.	
4. Welfare Commissioner, Ministry of Labour, Government of India, Bhilwara.	Bhilwara	Rajasthan, Gujarat, Haryana, Punjab and Himachal Pradesh.	
5. Welfare Commissioner, Ministry of Labour, Government of India, Bangalore.	Bangalore	Tamil Nadu, Karnataka and Andhra Pradesh.	

Following Welfare facilities have been provided to Limestone and Dolomite Mines workers :—

A. HEALTH

Medical facilities.—Eight Ayurvedic dispensaries one each at Gotan (Rajasthan), Asthal (Rajasthan), Chhota-Udepur (Gujarat), Phalodi Quarry (Rajasthan), Pathariya Mines (M.P.) Baraduwar, Lugdara and Matialapu and ten Allopathic dispensaries one each at Dehradun (U.P.), Mirzapur (U.P.), Banjari District Röhtas (Bihar), Ramaswamy Rajanagar Ramnand (Tamil Nadu), Kukda (Rajasthan), Ranavav (Gujarat), Gadu (Gujarat), Dungarpur Quarry (Gujarat), Mahgaon and Jabalpur (Madhya Pradesh) served more than 1.5 lakh patients. In addition, one maternity-cum-child welfare centre (Orissa) extended benefit to 10,000 family members of 3,300 workers.

Grants-in-aid of Rs. 21,000 for hospital equipments and for extension of dispensary/building were provided to the managements of M/s. A.C.C. Shahbad, A.C.C. Madhukarai, A.C.C. Gulbarga and M/s. Jaipur Udyog Ltd., Swaimadhopur.

18 persons were provided benefits under fatal and series accident scheme and 61 T.B. patients were treated. 6 beds for T.B. patient have been reserved for Bangalore region and arrangements for treatment of T.B. patients has been made at Central Hospital of Mica Mines Labour Welfare Organisation (T.B. Hospital) at Karma. An X-Ray Plant of B.S.L. has benefited 8,000 Limestone and Dolomite Mines workers.

Education.—Under the Scheme of Award of Scholarship to sons and daughters of Limestone and Dolomite Workers 1,587 scholarships were awarded/renewed. Of these 285 were in Bhilwara region, 94 in Allahabad, 810 in Bangalore, 250 in Jabalpur and 148 in Bhubaneswar regions.

Housing.—During the financial year under review 618 houses under Type I housing scheme were constructed in different regions and upto end of the financial year 1978-79 a total of 1212 houses had been provided to the Limestone and Dolomite workers under 'Build Your Own Housing Scheme'. 8 houses had been constructed by Limestone and Dolomite workers.

Recreation.—During the year 8 Cinema Projects (16 mm) and 9 Radio sets were provided at different places. 10 Mobile Cinema Units, 17 Projects and 19 Radio sets had also been provided in earlier years.

In addition grants-in-aid amounting to Rs. 16,344 was sanctioned to the Welfare Centres maintained by different mine managements and an amount of Rs. 43,000 was sanctioned for tournaments and athletic sports meets in different regions.

Water Supply.—Subsidy amounting to Rs. 40,318 to M/s Yarekatte Limestone and Dolomite Mines of Mysore Cement Ltd. Adityavaratna, Ammasandra in Tumkur District has been sanctioned in Karnataka Region.

Subsidy amounting to Rs. 14,600 was sanctioned to mine managements in Bhilwara region for purchase of 6 water coolers for supply of drinking water to workers and an amount of Rs. 46,517.50 was sanctioned to the U.P. State Mineral Development Corporation Limited for providing water pipe line and water tank for miners colony of Lambihiar Limestone Mines, Dehradun.

Statement of accounts for the year 1978-79 :

	(Rs.)
Opening Balance as on 1-4-1978	1,12,48,054.82
Receipts during 1978-79	70,31,667.90
Expenditure during 1978-79	53,20,517.41
Closing Balance as on 31-3-1979	1,29,59,205.31

[No. Z-16016/2/79-M.V]

JAGDISH PRASAD, Under Secy.

New Delhi, the 28th October, 1980

S.O. 3111.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India, Trivandrum Division, Trivandrum and their workmen, which was received by the Central Government on the 21st October, 1980.

BEFORE THIRU T. SUNDARASAN DANIEL, B.A., B.L., PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, MADRAS

(Constituted by the Government of India)

Saturday, the 4th day of October, 1980

Industrial Dispute No. 13 of 1980

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Dispute Act, 1947 between the workmen and the Management of Life Insurance Corporation of India, Trivandrum.)

BETWEEN

The workmen represented by The General Secretary, Life Insurance Corporation Employees Union, Trivandrum Division, P. B. No. 1011, Trivandrum-695004.

AND

The Divisional Manager, Life Insurance Corporation of India, Divisional Office, Pattom, P. B. No. 1001, Trivandrum-695004.

REFERENCE

Order No. L-17011/3/79-B. IV(A), dated 13th February, 1980 of the Ministry of Labour, Government of India.

This dispute coming on for final hearing on Thursday, the 28th day of August, 1980 upon pursuing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiruvalargal K. R. Chidrasekaran Pillai, Executive Committee Member and S. Chidambaram, Joint Secretary of the Union for the workmen and of Thiru Y. Ramachandran, Assistant Secretary (Personnel) and S. Masilamani, Administrative Officer (Personnel) of the Central office of Life Insurance Corporation of India, Bombay appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following :

AWARD

This is an Industrial Dispute between the workmen and the Management of Life Insurance Corporation of India, Divisional Office, Trivandrum-4 referred to this Tribunal for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-17011/3/79-B. IV(A), dated 13-2-1980 of the Ministry of Labour, in respect of the following issue :

"Whether the action of the management of the Life Insurance Corporation of India in reducing the officiating allowance payable to their workmen as per Circular Nos. Personnel/A No. ZD/308/ASP/73 dated the 24th August, 1973 and No. Personnel 1/A. No. ZD/440/ASP/77, dated the 23rd June, 1977, is justified? If not, to what relief are the concerned workmen entitled?"

(2) Facts leading upto the dispute are limited. The Respondent-Management is the Divisional Manager, Life Insurance Corporation of India, Divisional Office, Pattom, P. B. No. 1001, Trivandrum-695004. The present issue relates to the officiating allowance payable to the workmen employed by the Respondent-Management. The issue referred to this Tribunal by the Government of India mentions "reducing" the officiating allowance payable to their workmen as per two circulars passed by the Respondent-Management. The word "reducing" found in the issue must appear to be a mistake for the word "reducing" or in other words "limited" the officiating allowance payable to their workmen of the respondent-Management in the light of the two circulars referred to therein, namely No. Personnel/A. No. ZD/308/ASP/73, dated the 24th August, 1973 and No. Personnel 1/A. No. ZD/440/ASP/77, dated the 23rd June, 1977. Ex. M-11 is the copy of the Circular No. Personnel/A. No. ZD/308/ASP/73, dated 24-8-1973 and Ex. W-2 is the copy of the Circular No. Personnel A/No. ZD/440/ASP/77, of the Management regarding officiating allowance issued on 23-6-77. The claim statement on behalf of the workmen employed by the Respondent-Management has been filed by the General Secretary, L.I.C. Employees' Union, Post Box No. 1011, Trivandrum-695004. In paragraph (11), of the counter statement filed by the Respondent-Management, it is averred that the Union has not brought out specific cases where the officiating allowance payable would be more than the ones prescribed under Central Office Circular Ex. W-2. The Petitioner-Union has filed a reply statement to the counter statement filed by the Respondent-Management. In paragraph (7) of this reply statement, the Union asserts that it had brought to the attention of the Conciliation Officer specific instances where the Officiating allowance was reduced by these two circulars. Further in the reply statement, it is stated that with the permission of this Tribunal, the Union proposes to bring specific cases of reduction of officiating allowance. However, it must be stated that no materials were in fact placed by the Union in this direction, but during the course of the arguments, one instance was pointed out, namely Sri C. K. Vasudevan Pillai, a typist S.R. No. 535526. He was officiating as stenographer from 7th January, 1974. His basic pay as on 7-1-1974 in the typist cadre was Rs. 350. But when he asked to officiate as stenographer he is entitled to officiating allowance of Rs. 55 (i.e. Rs. 405—Rs. 350 as per Explanation (2) of Regulation 57). Explanation (2) of Regulation 57 as extracted from Ex. W-1 runs as follows :

"In the case of officiating arrangements, the employee concerned shall draw only officiating allowance which shall be equal to the difference between the basic pay in the lower and the higher scales as determined above, provided that such officiating allowance may be reduced by the appointing authority, if the officiating arrangement is of a temporary nature and the circumstances justify it."

The stenographer is also entitled to a special pay of Rs. 20 as per Regulation 51 read with Schedule II A-III (4), which runs as follows :

"Reg. 51(1): The scales of pay, dearness allowance and other allowances (wherever payable) applicable to the employees of the Corporation in India shall be as prescribed in Schedule II hereto."

"Schedule II (A) III (4): 'Note: Stenographers in the Stenographer's grade selected to work with the officers of the following rank will receive a special pay on the following scale :

Chairman :	Rs. 65 per month.
Director/Zonal Manager :	Rs. 55 per month.
Dy. Zonal Managers & Senior Officers at the Central Office :	Rs. 40 per month.
Divisional Managers :	Rs. 30 per month.

Stenographers in the Stenographer's scale who are not attached to the officers of the above ranks would be eligible to a special pay of Rs. 20 per month.

By virtue of explanation 1 of Regulation 57, the Special Pay of Rs. 20 is to be treated as part of basic pay for the purpose of Regulation 57. Therefore, a Typist having the basic pay of Rs. 350 on promotion as Stenographer is entitled to the basic pay of Rs. 405."

Therefore it is contended that the aforesaid employee has not been granted the officiating allowance as contemplated by explanation (2) of Regulation 57 of Life Insurance Corporation of India (Staff) Regulations, 1960. But it has been reduced as a result of the circulars. Learned Union representative also states at the bar that more such cases are available even in the Respondent Divisional Office itself. These facts cannot be seriously challenged by the Respondent Management. However, unless specific cases of all such cases are placed before this Tribunal, this Tribunal by itself will be unable to grant any relief to individual cases, in case the reduction in officiating allowance is unjustified in law.

(3) At this juncture, I may advert to the criticism of the Management that the issue referred to this Tribunal is not one which is confined to the workmen of Trivandrum Division alone but is one which is applicable to all the employees of the Corporation—vide paragraph (8) of the counter statement. It is undisputed that even within the State of Kerala there are three Divisional Offices of the Respondent-Management, of which one is located at Trivandrum which covers the present reference. It was stated at the time of arguments that there are in all about 46 Divisional Offices throughout India. Therefore there cannot be any dispute that the issue referred to this Tribunal will have a bearing to all similar employees of the Respondent-Management throughout India. The Petitioner Union is an affiliate of All India Insurance Employees' Association. It is pointed out that the parent association, viz., All India Insurance Employees' Association has not championed this cause for its applicability throughout India. Equally true is the position that any Award if eventually passed by this Tribunal would only bind the Respondent-Corporation relating to its employees within Trivandrum Division. The Union also maintains that if the Management considered the adjudication of this issue by this Tribunal as being restricted by territorial jurisdiction and if any relief be granted, it would cause hardship to other workmen employed by the Respondent-Management outside Trivandrum and situated within the whole of India, the Management should have approached the Government of India for referring the dispute to a National Industrial Tribunal under section 10(1A) of the Industrial Disputes Act, 1947. If only the Management had thought of safe-guarding the interest of their other workmen similarly employed throughout the rest of India nothing whatsoever prevented the Management in joining hands with the Petitioner Union for making a joint application under section 10(2) of the Industrial Disputes Act to the Government of India to refer the dispute to a National Industrial Tribunal. In the absence of any such move the present issue being made over to this Tribunal by Government of India the Management cannot now be heard to say that any decision on this by this Tribunal would not be conducive for maintaining industrial peace throughout India. The Government of India and consequently this Tribunal are now only concerned in this present reference to the industrial peace within the Trivandrum Division. This much is certain that if any relief is granted by this Tribunal, certainly it will apply only to the workmen of the Respondent Management within Trivandrum Division. This would not be a bar for other employees similarly placed elsewhere to put forward their claim if eventually any relief is granted to the employees by this Tribunal. Moreover just because employees of the Respondent Management outside the Trivandrum Division and throughout India had not challenged these two circulars it does not necessarily follow that the two circulars are just fair and valid. Further more in as much as the Government of India itself in the reference has only in a general manner referred to the action of the Management with regard to these two circulars, it is neither warranted nor desirable nor possible nor feasible for this Tribunal to embark on identifying as to which of the employees in this Division would be affected by these two circulars. Therefore the two circulars would only be considered in a general manner applicable to all the employees similarly placed within this Division.

(4) Learned authorised representative for the Management Shri Ramachandran also urges that on two grounds no relief whatsoever can be granted to the Petitioner Union. The stand of the Management is set out in paragraph (9) of their counter statement. Their contention is two fold. In the first place the instructions as embodied in these two circulars Exs M-11 and W-2 are in vogue from 1973 and 1977 and therefore it does not lie in the mouth of the Union to disown these circulars after a period of 7 and 3 years respectively. Secondly with regard to Ex. M-11, a settlement under section (18) read with section 2(p) of the Industrial Disputes Act

1947 had been entered into between the Respondent-Management and its workmen on 24-1-1974, printed copy of which is marked as Ex M-8 and therefore with regard to Ex M-11 such a claim no longer survives for consideration. I shall briefly examine these two contentions. With regard to the 1st point, namely the inaction on the part of the Union in having allowed these circulars go unchallenged for 7 and 3 years respectively the learned representative for the Union points out that despite their persistent request to the Management to supply them with all the circulars issued by the Corporation, the management seldom complies with this request and therefore the Union is always at a distinct disadvantage in not getting the circulars issued by the Management then and there and only when with their efforts, the Union comes across certain circulars, they immediately examine them and if it is prejudicial or affects the right of the workmen certainly the Union makes a issue out of it. The explanation offered by the Union appears to be highly plausible. Moreover, normally in industrial law Indian Limitation Act has no strict application. In the Industrial Disputes Act, 1947, there is no period of limitation prescribed to raise any dispute. Therefore the efflux of time is not necessarily a factor that the workmen had affirmed the justness of the circulars issued by the Management specially when they are issued behind their back. Further more, it is for the proper authority under Industrial Disputes Act to find out if an industrial dispute as such exists. There is no embargo of limitation on the competent authority be it the State Government or Government of India. Therefore once the proper authority in this case Government of India has thought fit to refer these two circulars for consideration by this Tribunal it must be presumed that there exists an industrial dispute which necessitated the making of the reference to this Tribunal. If in fact the Management was aggrieved by the reference as such then they should have challenged the order of reference before proper High Court. The delay in making a claim may be a factor at the time of final consideration as to from which period the relief if any can be granted to the Union. Looked at from any view there is not much substance in the half-hearted plea of the Management that because of passage of time, Union should not be allowed to raise this dispute or that because of passage of time the two circulars in question have acquired the status of unassailable authority.

(5) With regard to the 2nd plea, namely, the settlement entered into between the Respondent-Management and its workmen on 24-1-1974, printed copy of which is marked as Ex M-8, the Management seeks to place reliance on clause 12(4), which runs as follows:

"Except as otherwise provided or modified by this Settlement, the workmen shall continue to be governed by all the terms and conditions of service as set forth and regulated by the Life Insurance Corporation of India (Staff) Regulations, 1960 as also the administrative instructions issued from time to time and they shall, subject to the provisions thereof including any period of operation specified therein be entitled to the benefits thereunder."

Here stress is sought to be placed on the clause "that the workmen shall continue to be governed by all the terms and conditions of service as set forth and regulated by the Life Insurance Corporation of India (Staff) Regulations, 1960 as also the administrative instructions issued from time to time". Exs M-9 and M-10 are extracts from charter of demands submitted by the Petitioner-Union and another Union on this question of officiating allowance respectively in January, 1973 and February, 1973. At best the settlement entered into under clause 12(4) of Ex M-6 can be held to give a quietus to the claims made by these Unions under Exs M-9 and M-10. But by no stretch of imagination can it be said under clause 12(4) of Ex M-8 that it confirms that all the circulars issued by the Management with regard to officiating allowance. It should be distinctly remembered that the terms under clause 12(4) of Ex M-8 are only general and does not specifically relate to any officiating allowance with which we are concerned in the present dispute. On behalf of the Union, it is pointed out that even a perusal of clause 12(4) of Ex M-8 would only indicate that the workmen had agreed to be governed by Staff Regulations and not by any administrative instructions and according to the Union when these circulars under Exs M-11 and W-2 are in conflict with the Staff Regulations, 1960, then there is no meaning in saying that the workmen had given a consent to the justness or validity of the circulars now challenged by them. I am inclined to hold that there is

good deal of force in the submission made by the Union because there cannot be any valid agreement as such against the staff Regulations, 1960 which has the force of law. Looked at from any point of view, it cannot be stated that in the face of the settlement entered into under Ex. M 8, clause 12(4), the workmen of the Respondent-Management are not entitled to challenge any existing circulars issued by the Respondent-Management are not entitled to challenge any existing circulars issued by the Respondent-Management or more specifically Exs. M-11 or W-2 or both.

(6) I shall now deal with the crux of the present issue, namely Officiating Allowance. This has been dealt with under Regulation 57—Explanation (2) of Life Insurance Corporation of India (Staff) Regulations, 1960, which runs as follows :

"In the case of officiating arrangements, the employee concerned shall draw only officiating allowance which shall be equal to the difference between the basic pay in the lower and the higher scales as determined above, provided that such officiating allowance may be reduced by the appointing authority, if the officiating arrangement is of a temporary nature and the circumstances justify it."

The two circulars which are challenged relating to officiating allowance had been marked respectively as Exs. M-11 dated 24-8-1973 and Ex. W-2 dated 23-6-1977. Officiating Allowance is dealt with in paragraph (2) at page 2 of Ex. M-11 while the entire circular Ex. W-2 relates to officiating arrangements including officiating allowance at paragraph (7) at page 3 of Ex. W-2. According to the Management, as can be seen from paragraph (11) of the counter statement, the circular issued on 23-6-1977, namely Ex. W-2 is fair and equitable. I have earlier pointed out how in a case of Sri C. K. Vasudevan Pillai, S.R. No. 535526, a Typist while he was officiating as Stenographer from 7-1-1974 he was receiving a lesser emoluments as officiating allowance in the face of Explanation (2) of Regulation 57. Therefore, the only point that remains to be considered is whether the administrative instructions issued under Exs. M-11 and W-2 can prevail over explanation (2) of Regulation 57. At this stage also, I may point out to another argument raised by the learned authorised representative for the Management Shri Ramachandran, in that, the issue referred to this Tribunal is limited in its scope, viz., relating to the action of the Management in reducing the officiating allowance in the light of the two circulars Exs. M-11 and W-2. His contention was that this Tribunal has jurisdiction only as conferred under the reference and therefore when the issue referred to does not specifically confer a jurisdiction on this Tribunal to consider the validity of these two circulars, this Tribunal cannot go into that question. There is absolutely no dispute about the position of law that this Tribunal being a creature of the Industrial Disputes Act has only jurisdiction as conferred on it by virtue of the reference made by the competent authority. But the Union points out that in the counter statement filed by the Management, the Management has not taken any such specific stand and therefore it is not open to the Management spring a surprise at the time of arguments to contend that this Tribunal has no jurisdiction to consider the fairness or justness or validity of the two circulars mentioned in the reference. In 1967-II-L.L.J. Page 12 [Workmen of Sri Ranga Vilas Motors (P) Ltd., vs. Sri Ranga Vilas Motors (P) Ltd.], the Supreme Court has pointed out that the Tribunal is competent to ascertain the real point of the dispute. By considering the two circulars specifically mentioned in the reference made by the Government of India, this Tribunal is perfectly justified in considering its reasonableness, fairness and validity. As a matter of fact as already referred to in paragraph (11) of the counter statement, the Management has taken a pointed stand that the circular dated 23-6-1977 is fair and equitable. In paragraph (10) of the counter statement it is claimed that the reduction in officiating allowance as a result of the circulars referred to are not illegal or violative of Regulation 57 of the Life Insurance Corporation of India (Staff) Regulations, 1960. There is no whisper that this Tribunal has no jurisdiction to go into that question. It is significant to bear in mind that it is not also the case of the Management that the two circulars sought to be challenged are not in vogue either due to efflux of time or due to issuance of further subsequent circulars on the same question of officiating allowance or even as a result of the settlement under Ex. M-8 earlier pointed out. Therefore when the action of the Management is defended on the strength of these two circulars, if the Union satisfies that these two administrative circulars had been issued in direct viola-

tion of Regulation 57 of LIC (Staff) Regulations, 1960, then these two circulars must patently be held to be illegal. Thus when the action of the Management is based on illegal circulars, certainly the action of the Management cannot by any stretch of imagination be justified. On the contrary, when once it is shown that these two circulars are in direct violation of Regulation 57, then this Tribunal need not at all go into the question of fairness or reasonableness of these two circulars in detail. When these two circulars are eventually held to be illegal, certainly, it stands on a higher footing than even justness. In that view, regard being had to the only dispute between the parties, this Tribunal can go into the question as to whether these two administrative circulars have been issued in direct violation of Life Insurance Corporation of India (Staff) Regulations, 1960.

(7) The Life Insurance Corporation of India (Staff) Regulations, 1960, a copy of which is marked as Ex. W-1 has been declared as law by the Supreme Court in several cases. This has been so specifically mentioned in paragraph (3) of the Claim Statement filed by the Union and this has been categorically admitted also by the Respondent-Management in paragraph (6) of the counter, wherein it is stated that "the allegation in para 3 that the Life Insurance Corporation of India (Staff) Regulations has the force of law is admitted." The impugned circulars Exs. M-11 and W-2 had been issued by the Life Insurance Corporation of India, Central Office by the Executive Director (P) and the Chief In-charge (P) respectively. Regulation (17) deals with Officiating Arrangement and it runs as follows :

"17. (1) Notwithstanding anything contained in Regulation 7, the competent authority may at its discretion appoint an employee to officiate in a vacancy in a sanctioned post in a higher cadre.

(2) No person appointed to officiate under sub-regulation (1) shall by virtue of such appointment be entitled to any claim for promotion or for any increment in the higher scale.

(3) An employee appointed to officiate in a higher post shall be liable to be reverted without notice during the officiating period.

Schedule—I of the Regulations indicates the appointing, disciplinary and appellate authorities. The power to implement regulations is vested on the Chairman of the Life Insurance Corporation of India by virtue of Regulation (4) which runs as follows :

"The Chairman may, from time to time, issue such instructions or directions as may be necessary to give effect to, and carry out, the provisions of these regulations and in order to secure effective control over the staff employed in the Corporation."

The Union points out that the power to issue instructions under the Regulation (4) vests only with the Chairman of the Corporation and there is nothing in Regulations to delegate this power authorising Executive Director and the Chief (Personnel) to issue instructions in respect of any matter dealt with the Corporation. There seems to be good deal of force in this contention. Whereas other officers under the Chairman may be appointing authorities and may have powers to deal with certain matters, one and the only person authorised under the Regulation (4) to issue directions and circulars is only the Chairman of the Corporation and not any Executive Director and the Chief (Personnel). If that be so ab initio these circulars do not have any sanctity.

(8) Assuming that the Executive Director and Chief Personnel is lawfully entitled to issue these two circulars in question, it has to be considered whether these two circulars are in any way violates or contradicts Regulation 57 of Staff Regulations, 1960. Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 clearly lays down that in the case of officiating arrangements, the employee concerned shall draw only officiating allowance which shall be equal to the difference between the basic pay in the lower and the higher scales as determined above [which means Regulations 57(1) and (2)]; provided that such officiating allowance may be reduced by the appointing authority, if the officiating arrangement is of a temporary nature and the circumstances justify it. Therefore it is apparent that from the Explanation (2), that in the case of officiating arrangements, the employee concerned shall draw only officiating allowance which shall be equal to the diffe-

rence between the basic pay in the lower and the higher scales as determined under Regulation 57. As already pointed out earlier in the case of the employee Sri C. K. Vasudevan Pillai S.R. No. 535526, a typist who was promoted as stenographer from 7-1-1974 he ought to have been given an officiating allowance of Rs. 55. However, the hard fact remains that the aforesaid employee was not given this officiating allowance of Rs. 55 as contemplated under Explanation (2) of Regulation 57 of Staff Regulations, 1960. It should also be remembered that the present controversy covered by the issue made by the Government of India relates to only officiating allowance in the cadre of Assistants, Stenographers, Record Clerks and Head Peons. In the instance pointed out the circular applicable would be the one dated 24-1-1973, copy of which is marked as Ex. M-11, Paragraph (v) of Ex. M-11 appearing at page (2) deals with officiating allowance. That lays down as follows:

"Officiating Stenographers will be paid an officiating allowance calculated as per Regulation 57 of (Staff) Regulations, 1960 subject to a maximum of Rs. 25 per month."

Therefore although the employee referred to above officiating as a stenographer should be entitled to an officiating allowance of Rs. 55 as calculated as per Regulation 57 of Staff Regulations, 1960, the same has been reduced and limited to Rs. 25 as a result of this circular under the original of Ex. M-11. The short question for consideration would be whether this circular restricting the maximum officiating allowance to Rs. 25 per month in the case of officiating stenographer would be in accordance with Regulation 57 of Staff Regulations, 1960. My answer would be in the negative. Here are my reasons : The Explanation (2) of Regulation 57 of Staff Regulations, 1960 is absolute under which a Typist who is getting the maximum as a Typist and on officiating as a Stenographer should be entitled to officiating allowance of Rs. 55, but there is also a proviso to Explanation (2) of Regulation 57 that lays down as follows :

"Provided that such officiating allowance may be reduced by the appointing authority, if the officiating arrangement is of a temporary nature and the circumstances justify it."

Therefore, in order to restrict the officiating allowance, the appointing authority can do so provided if the officiating arrangement is of a temporary nature and the circumstances justify it. Therefore it is incumbent that in every case, in which the officiating allowance is sought to be reduced, the appointing authority can do so if the officiating arrangement is of a temporary nature and the circumstances justify it. Thus it can be noted that the two important conditions to enable the appointing authority to reduce the officiating allowance are that (1) the officiating arrangement is of a temporary nature and (2) the circumstances justify it. Hence in any given case, the officiating allowance as contemplated under the Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 can be reduced only by the appointing authority if the officiating arrangement is of a temporary nature and circumstances justify it. Therefore it can be seen that in every case, the rule is that the officiating allowance must be paid in accordance with Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 and the exception would be if the appointing authority holds that the officiating arrangement is of a temporary nature and the circumstances justify it. Barring these two circumstances, the officiating allowance cannot be reduced and if ordered to be reduced it will be in flagrant violation of Explanation (2) of Regulation 57(2) of Staff Regulations, 1960. But what the Executive Director and the Chief (Personnel) has purported to direct under Ex. M-11 is that in all cases of officiating stenographers the officiating allowance shall be calculated as per Regulation 57 of Staff Regulations, 1960 subject to a maximum of Rs. 25 per month. Certainly, the Executive Director and Chief (Personnel) has no jurisdiction whatsoever to restrict the officiating allowance to Rs. 25 per month. What the Management has done under Ex. M-11 is, a general instruction in case of officiating allowance. Certainly, such a general instruction is opposed to the conditions imposed under Explanation (2) of Regulation 57(2) of Staff Regulations, 1960. Significant to point out that in dealing with this officiating allowance at paragraph (v) of Ex. M-11 at page (2) or even Ex. W-2 there is no whisper whatsoever that such restriction should be placed only if officiating arrangement is of a temporary nature and there are circumstances justifying it. Therefore instruction issued in circular Exs. M-11 and W-2 ignoring the important two provisos for reducing the officiating allowance in Explanation (2) of Regulation 57(2) of Staff

Regulations, 1960 must be held to be in direct violation to Explanation (2) of Regulation 57(2) of Staff Regulations, 1960. Similarly, officiating allowance has been dealt with in paragraph (7) page 3 of Ex. W-2. There also the Chief-in-charge (Personnel) has issued the circular. Paragraph (7) of Ex. W-2 also mentions maximum officiating allowance. As I pointed out earlier that while Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 places certain grounds under which the officiating allowance can be reduced, it does not confer power on the Executive Director to fix a maximum officiating allowance of any employee. There is no mention in paragraph (7) of Ex. W-2 that it is a prerogative of the appointing authority to reduce the officiating allowance normally entitled under Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 under the two conditions referred to by me earlier. Therefore it is manifest that the fixation of a maximum officiating allowance in Exs. M-11 and W-2 without even mentioning any circumstances under which it can be imposed would clearly indicate that the instruction contained in paragraph (7) of Ex. W-2 is in direct violation of the express benefit conferred on the officiating employee as calculated under Regulation 57(2) of Staff Regulations, 1960. Therefore the hands of the appointing authority are bound as a result of the issuance of these two circulars while a duty is cast on the appointing authority under Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 to approach each problem objectively. Therefore it is obvious that the two circulars issued by the Respondent-Management, copy of which have been marked as Exs. M-11 and W-2 are in direct violation of Explanation (2) of Regulation 57(2) of Staff Regulations, 1960. It is not gainsaid that these circulars prejudicially affect the benefit conferred on an officiating employee in Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 and therefore these two circulars give a long handle to the appointing authority to capriciously exercise its discretion to deny the legitimate benefit conferred under Explanation (2) of Regulation 57(2) of Staff Regulations, 1960. Therefore, looked at from any angle, it is not difficult to find that these two circulars are unjust, unfair and illegal as opposed to the Explanation (2) of Regulation 57(2) of Staff Regulations, 1960 and therefore any action of the Management taken in pursuance of these two circulars cannot be justified.

(9) In the result, an Award is passed holding that the action of the Management of the Life Insurance Corporation of India in reducing the officiating allowance payable to their workmen as per Circulars Nos. Personnel/A. No. ZD/308/ASP/73 dated the 24th August, 1973 and No. Personnel i/A. No. ZD/440/ASP/77 dated the 23rd June, 1977 is unjustified. However apart from one employee, viz., Sri C. K. Vasudevan Pillai S.R. No. 535526, a Typist officiating as Stenographer, details of other such aggrieved employees are not brought to the attention of this Tribunal. Therefore, if any employee has suffered legitimate officiating allowance as contemplated under Explanation (2) of Regulation 57(2) of Staff Regulations, 1960, it is open to such employee to approach the Respondent-Management to give redress. The Union would say that the Respondent-Management is in seisin of all such cases and they can give relief *suo moto* to such employees. While the Management will certainly do its utmost to give relief, I also direct the Petitioner-Union or any other Unions or individual employees to bring to the attention of the Respondent-Management any case in which an employee has detrimentally suffered in the matter of officiating pay as a result of the two circulars referred to herein as opposed to the officiating allowance as contemplated under Explanation (2) of Regulation 57(2) of Life Insurance Corporation of India (Staff) Regulations, 1960. In order to maintain the cordiality between the Petitioner-Union and the Respondent-Management to enable them to work out further consequential reliefs in suitable cases, I direct the respective parties to bear their costs.

Dated, this 4th day of October, 1980.

T. SUDARSANAM DANIEL, Presiding Officer.

[No. L-17011/3/79-D.IV(A)]

WITNESSES EXAMINED

For both sides : None.

DOCUMENTS MARKED

For workmen

Ex. W-1—Life Insurance Corporation of India (Staff) Regulations, 1960—July, 1960 (as modified upto 7-8-71).

Ex. W-2/23-6-1977—Circular of the Management regarding officiating arrangements. (true copy).

For Management

Ex. M-1/7-9-80—Circular of the Management regarding Acting Allowance payable to cashiers.

Ex. M-2/14-9-70—Circular of the Management regarding Officiating Allowance payable to Officiating Section Heads.

Ex. M-3/21-10-70—Circular of the Management regarding Officiating Allowance payable to Cashiers posted to officiate as Section Heads. (copy)

Ex. M-4/16-9-71—Circular of the Management regarding Officiating arrangements—Telephone Operator. (copy)

Ex. M-5/16-5-73—Circular of the Management regarding Officiating arrangements to be made in the cadre of Section Heads.

Ex. M-6/10-4-73—Circular of the Management regarding Officiating arrangements.

Ex. M-7—Page 282 of the Establishment Manual regarding Officiating Allowance. (copy)

Ex. M-8/24-1-74—Memorandum of settlement u/s. 18 r/w. Section 2(P) of the Industrial Disputes Act, 1947 between parties. (copy)

Ex. M-9—Extract of the charter of demands submitted in January, 1973 by the All India Insurance Employees' Association regarding Officiating Allowance. (copy)

Ex. M-10—Extract from charter of demands submitted by the All India National Life Insurance Employees' Federation (INTUC) on 16-2-73 regarding officiating allowance. (copy)

Ex. M-11/24-8-73—Circular of the Management regarding officiating arrangement to be made in the cadre of Assistants/Stenographers, Record Clerks and Head Peons.

Note : Parties are directed to take return of their documents within six months from the date of publication of the Award.

S.O. 3112.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Life Insurance Corporation of India, Trivandrum and their workmen, which was received by the Central Government on the 21st October, 1980.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.
INDUSTRIAL TRIBUNAL, MADRAS.
(Constituted by the Government of India)

Friday, the 10th day of October, 1980

Industrial Dispute No. 31 of 1980

In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and Management of Life Insurance Corporation of India, Trivandrum-4.

BETWEEN

The workmen represented by
The President, L.I.C. Employees Union,
Trivandrum Division, P.B.No. 1001, Trivandrum-695004.

AND

The Divisional Manager,
Life Insurance Corporation of India,
Divisional Office, P.B.No. 1001, Jeevan Prakash,
Pattom, Trivandrum-695004.

REFERENCE

Order No. I-17011(7)/79/DIV(A) dated 16th May, 1980 of the Ministry of Labour. Government of India

This dispute coming on for final hearing on Saturday, the 30th day of August, 1980 upon perusing the reference, claim and counter statements and all other material papers

on record and upon hearing the arguments of Thiruvalargal K.R. Chandrasekaran Pillai, Executive Committee Member and S. Chidambaram, Joint Secretary of the Union for the workmen and of Thiruvalargal Y. Ramachandran, Assistant Secretary (Personnel) and S. Masilamani, Administrative Officer (Personnel) of the Central Office of Life Insurance Corporation of India, Bonibay appearing for the Management and this dispute having stood over till this day for consideration, this Tribunal made the following.

AWARD

This is an Industrial Dispute between the workmen and the Management of Life Insurance Corporation of India, Trivandrum-4 referred to this Tribunal for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-17011(7)/79-D.IV(A), dated 16-5-1980 of the Ministry of Labour, in respect of the following issue :

"Whether the action of the management of Life Insurance Corporation of India in relation to their Trivandrum Division in not giving the scale of pay attached to the posts of Stenographers to Sarvashri C.K. Vasudevan Pillai, L. Gomathy Ammal, P.D. Pushpangadam, V. Prabhakaran, Pillai and C.E. Antony who have been continuously officiating as Stenographers with effect from 4th January, 1974, is justified. If not, to what relief are the concerned workmen entitled?"

(2) This is an unique case in which not a single fact leading upto the present dispute is in controversy between the parties. The Respondent-Management is the Divisional Manager, Life Insurance Corporation of India Divisional office P.B No. 1001, Jeevan Prakash, Pattom, Trivandrum-695004, Kerala State. The issue referred to this Tribunal by the Government of India relates to five employees of the Respondent-Management, viz., Sarvashri C. K. Vasudevan Pillai, L. Gomathy Ammal, P.D. Pushpangadam, V. Prabhakaran Pillai and C.E. Antony who have been continuously acting as Stenographers as per order of Management dated 4-1-1974. On 20-3-1971 the Life Insurance Corporation of India, Divisional Office, Trivandrum conducted a test for promotion from Typists to Stenographers. Seven persons including five persons specifically mentioned in the reference made by the Government of India were found successful in the test. Besides, there was one Typist who was exempted from the test by virtue of his qualifications. Therefore, a total of the eight Typists inclusive of the five employees mentioned in the reference thus became entitled for promotion from the post of Typists to the posts of Stenographers by virtue of the provisions of Life Insurance Corporation of India Staff Regulations, 1960, a printed copy of which is marked as Ex. M-1. For further discussion, this Regulation shall hereinafter be referred to as 1960 Promotion Procedure. At this juncture it will be pertinent to set forth some more facts relating to Life Insurance Corporation of India which is a body corporate established under Section 3 of the Life Insurance Corporation Act, 1956. Section 49 of the Life Insurance Corporation Act, 1956 provides that the Corporation may, with the previous approval of the Central Government by notification in the Gazette of India, make regulations, not inconsistent with the provisions of the Act and the rules made thereunder to provide for all matters for which provision is expedient, for the purpose of giving effect to the provisions of the Act. The Life Insurance Corporation of India has accordingly framed the Life Insurance Corporation of India (Staff) Regulations, 1960, printed copy of which is Ex. M-1. Moreover, the Life Insurance Corporation of India has also framed the Life Insurance Corporation of India (Promotion) Regulations, 1976, which hereinafter shall be referred to as Promotion Regulations, a photostat copy of which is marked as Ex. M-4 defining the conditions of eligibility, criteria for selection, etc., for promotion of its employees in Class III and Class IV cadres. It is common ground that both these Regulations, namely 1960 Promotion Procedure and 1976 Promotion Regulations (Exs. M-1 and M-4) are statutory in character and binding on the employees and the Corporation alike as any law duly passed by a legislature. Out of the eight persons found fit for promotion by the Respondent-Management and became entitled for being posted as Stenographers by virtue of the 1960 Promotion Procedure (Ex.M-1), one has gone over to the General Insurance Corporation of India and another

one got conversion to the category of Assistant and of the remaining six persons, the name of one person has been left out by the Government of India at the time of making the present reference. The claim statement on behalf of the five employees specifically referred to in the reference has been filed by the L.I.C. Employees' Union, Trivandrum Division, P.B. No. 1011, Trivandrum-695004, Kerala State. The Union states at the Bar that of the remaining six persons, one has been accidentally left out by the Government of India and the Union has promptly made representation to the Government of India to include the aforesaid employee also. Ex. W-1 is copy of Note submitted by the Petitioner-Union to the Assistant Labour Commissioner (Central) on 28-3-1978 during conciliation proceedings which indicate that the aggrieved employees are six in number. However it is not gain-said that these six employees are continuously officiating as Stenographers on the basis of the orders passed by the Management dated 4-1-1974. Admittedly, these employees are paid officiating allowance only. They are not paid the scale of pay applicable to the posts of Stenographers. Therefore, the reference made by the Government of India calls upon this Tribunal to ascertain whether the action of the Management in not giving the scale of pay attached to the posts of Stenographers to Sarvashri C. K. Vasudevan Pillai, L. Gomathy Ammal, P. D. Pushpangadam, V. Prabhakaran Pillai and C. E. Antony who have been continuously officiating as Stenographers with effect from 4-1-1974 is justified.

(3) The Respondent-Management urged several grounds, on which it is contended that either this Tribunal has no jurisdiction to grant the relief to these employees mentioned in the reference or that on merit none of the employees would be entitled to get any relief at the hands of this Tribunal. In the first place, it is stated that all along the demands raised by these employees, individually, collectively and through the Union has been for promotion of the five workmen referred to in the order of reference and therefore when the Government of India confined the issue to the allotment of scales of pay of Stenographers to the five workmen it must be held that there was no demand by the workmen for the relief referred to in the order of reference and therefore it must be held that there is no industrial dispute warranting a reference to this Tribunal under section 10 of the Industrial Disputes Act 1947. Support for this position is sought to be had from the decision of the Supreme Court reported in 1968—L.I.C.—Page 526 (Sindhu Resettlement Corporation Limited vs. Industrial Tribunal of Gujarat and others), where the Supreme Court pointed out if no dispute at all is raised by the employees with the management, any request sent by them to the Government would only be a demand by them and not an industrial dispute between them and their employer. Much water has flowed under the bridge ever since the rendering of that decision. From the charter or demands Ex. M. 6 and the appeal preferred by the employees to the Zonal Manager and Chairman of the Corporation would clearly show that the uniform stand of the employees is that they are already entitled to be posted as Stenographers and therefore when from 7-1-1974 they are continuously officiating as Stenographers they are entitled to be paid as a Stenographer. In that view, there is absolutely no substance in the contention of the Management that Union or individual had not made a demand on the Management. The Management had also participated in the conciliation proceedings preceding the present reference by the Government of India. Moreover it is abundantly clear that when the employees claim that they are entitled to the cadre of Stenographers, it is tantamounts to a claim that they are entitled to the pay scales of Stenographers also. Therefore, I am unable to hold that there is no industrial dispute as such between the Petitioner-Union and the Respondent-Management to be adjudicated upon by this Tribunal on the reference made by the Government of India.

(4) On the other hand, the Union points out that the one and the only stand of the employees is that these employees should be deemed to have been Stenographers and as such they would be entitled to the pay scale of Stenographers. On behalf of the Corporation, it is stated that when it is conceded by the employees that the relief covered by

the reference relates to the promoted cadre of Stenographers, then this Tribunal will have no jurisdiction to grant the said relief in the light of the decision of the Supreme Court reported in 1966—L.I.C.—Page 402 (Brooke Bond (India) (Private) Limited vs. their workmen). The relevant passage at page 404 runs as follows:

"Generally speaking, promotion is a management function; but it may be recognised that there may be occasions when a tribunal may have to interfere with promotions made by the management where it is felt that persons superseded have been so superseded on account of mala fides or victimisation. Even so after a finding of mala fides or victimisation, it is not the function of a tribunal to consider the merits of various employees itself and then decide whom to promote or whom not to promote. If any industrial tribunal finds that promotions have been made which are unjustified on the ground of mala fides or of victimization, the proper course for it to take is to set aside the promotions and ask the management to consider the cases of superseded employees and decide for it self whom to promote, except of course the person whose promotion has been set aside by the tribunal."

No doubt, the guidelines laid by the Supreme Court are unmistakable and unambiguous, in that, promotion is a Management function. However, it should be noted that the Tribunal is free to find that the action of the Management smacks mala fides or victimization. It is true that the Supreme Court has pointed out in the aforesaid citation that promotions have been made which are unjustified on the ground of mala fides or of victimization, the proper course for it to take is to set aside the promotions and ask the Management to consider the cases of superseded employees and decide for itself whom to promote. No doubt, as a general guidance the directions of the Supreme Court are good but it should be remembered the guidelines pointed out by the Supreme Court in this passage, are only illustrative and not exhaustive. In the present case, the Union is not attempting to attack or impugn that any promotions already made should be held unjustified on the ground of mala fides or victimization. If in the instant case, the employees sought for a relief that promotions subsequently made are unjustified, then the position would be certainly different. But the only stand of the Union is that the action of the Management in not just declaring these employees to be Stenographers is unjustified on certain grounds put forward by them. In other words, the case of these employees is, even in May, 1971 these employees have been duly weighed in the balance and were found fit for being employed as Stenographers, but due to the capricious acts of the Management, the actual posting of a Stenographer could not be given but they were eventually posted as Officiating Stenographers. Regard being had to the facts of the present case the observations of the Supreme Court in the citation referred to above do not strictly apply in all force. On the other hand, the Union relies on a recent decision of the Supreme Court reported in 1979—L.I.C.—Page 827 (Pottery Mazdoor Panchayat vs. The Perfect Pottery Co., Ltd.)—Vol. 55 F.J.R. page 511, at page 514 where the Supreme Court has pointed out that "it is not necessary to rely exclusively on the terms of references for coming to this conclusion. The history of the dispute and various documents on record of the references themselves indicate that the dispute between the parties related not to the question as to whether the business, in fact, was closed by the Management, but whether there was any justification or propriety on the part of the Management in deciding to close down the business" Therefore it is perfectly just and equitable that the history of the dispute and various documents could be called in aid to ascertain the points of dispute between the parties. In the light of this decision of the Supreme Court, it has to be seen whether there was any justification or propriety on the part of the Management in not formally declaring these employees as being promoted to the category of Stenographers. It is also well settled that *exceptio pravaat regulam* (exception proves the rule). Therefore I am unable to hold that this Tribunal has no jurisdiction to grant the relief claimed by these aggrieved employees.

(5) The Respondent-Corporation also points out the relief covered by the reference cannot be one of classification of the workmen either, because the workmen are already conferred a status under the Regulation, viz., officiating status and therefore any classification of these workmen as stenographers is not contemplated by the reference and also it would amount to a reclassification of the employees ordering their promotion in an indirect manner. The answer of the union is that the employees are already qualified to be stenographers and selected to the stenographers but due to the capricious act on the part of the Management they were not actually posted as stenographers even from May, 1971 and therefore when eventually they are posted as stenographers from 7-1-1974 onwards although they are posted as officiating stenographers in effect it must be deemed that they were posted only as stenographers and as such they should be entitled to the pay scale of a stenographer at any rate with effect from 4-1-1974. Therefore it cannot be said that as a result of the reference, the status of the employees is sought to be altered. Much less is there any attempt as a result of the reference and the action of the Union to regularise the workmen as officiating stenographers.

(6) The learned authorised representative for the management Shri Ramchandaram argues that if this Tribunal is to allot the scales of pay of these workmen as set forth in the order of reference without changing their statutory status as officiating employees, it would mean that any officiating employee is eligible to be paid the scales of pay attached to the post on which he is officiating and not officiating allowance, in violation of the provisions of explanation (2) to Regulation 57, only on the ground that the employee has been officiating for long and he also stated that it would violates the provisions of Regulation 52(1) of the Staff Regulations which entitles an employee to draw a salary attached to the post only if he assumes charge of the post to which the said scale of pay is attached and also it would be violative of the provisions of Regulation 17(2) which disentitles an officiating employee to any claim for promotion or for an increment in the higher scale by reason only that he is officiating in a post to which the said scale of pay applies. It has to be seen whether there is any basis to accept any of these contentions. With regard to the first point, merely because a relief if any is granted to the employees who were purported to be placed in officiating pay it does not necessarily follow that they were only placed in the officiating category. If acceptable material is placed, this Tribunal can find that as a matter of fact, these workmen were placed only as stenographers and not in the officiating capacity. It is easily conceded that merely because of the continuous service of these workmen they do not claim any vested right as such. The right claimed by them dates back even from 28-5-1971. For similar reason it should follow that there is no violation of Regulation 52(1) of Staff Regulations or 17(2) of Staff Regulations, because Regulation 17(2) deals only with 'Officiating employee' while Regulation 52(1) deals with 'an employee to draw salary attached to the post if he assumes charge'. Admittedly all these employees have assumed charge consequent to the orders passed by Management on 4-1-1974. Therefore eventually if it is held that these employees have assumed charge only as stenographers, there is no merit in any of the three objections made by the Management. There is no controversy that the Tribunal cannot grant any relief which is violative of the provisions of law which includes the Staff Regularisation also. Just because in a suitable case, the Tribunal grants relief to an employee legitimately entitled to it does not necessarily follow that as a result of the Award, the Tribunal is attempting to modify the statutory scheme of the Respondent-Corporation. Besides the Union also draws my attention that the power of the Industrial Tribunal in matters arising out of industrial disputes was considered by the Federal Court in A.I.R. 1949 F.C. III (Western India Automobile Association vs. Industrial Tribunal, Bombay). It was observed by Mahajan, J. at page 120 thus :

"Adjudication does not, in our opinion, mean adjudication according to the strict law of master and servant. The Award of the Tribunal may contain provisions for settlement of a dispute which no court could order if it was bound by ordinary law, but the Tribunal is not fettered in any way by these limitations. In volume-I of Labour Disputes and Collective Bargaining by Ludwig Teller, it is said at page 536 that industrial arbitration may involve the exten-

sion of an existing agreement or the making of a new one or in general the creation of a new obligation or modification of old ones, while commercial arbitration generally concerns itself with interpretation of existing obligations and disputes relating to existing agreements. In our opinion, it is a true statement about the functions of an industrial Tribunal in labour disputes."

Later, the Supreme Court in A.I.R. 1957 (S.C.) page 1 (Rhtas Industries Ltd., vs. Brijnandan Pandey) 1956 (2) L.L.J. page 444, also recognised the correctness of the dictum laid down in the above Federal Court decision and observed that there was a distinction between Commercial and Industrial arbitration, and after referring to the same passage in 'Labour Disputes and Collective Bargaining by Ludwig Teller vo. 1, page 536), proceeded to lay down as follows at page 6.

"A court of law proceeds on the footing that no power exists in the Courts to make contract for people, and the parties must make their own contracts. The Courts reach their limit of power when they enforce the contracts, which the parties have made. An Industrial Tribunal is not so fettered and may create new obligations or modify contracts in the interest of industrial peace, to protect legitimate trade union activities and to prevent unfair practice or victimisation."

Therefore, I am not impressed with any of the grounds urged by the Respondent-Corporation that the present reference is bad in law and that no relief can be granted to the employees under the reference. Thus there is absolutely no impediment as such to find out whether under the reference the employees are entitled to the relief prayed for by them.

(7) The claim of the L.I.C. Employees' Union is that their case is built on solid rock. I shall briefly set forth more facts which will speak for themselves. On 20-3-1971 the Life Insurance Corporation of India, Trivandrum, Divisional Office (Respondent-Management) conducted a test for promotion from Typists to Stenographers. Seven persons were found successful at the test. A list of successful candidates was in fact published by the Respondent-Management on 28-5-1971. There was also one Typist who was exempted from the test by virtue of his qualifications. Therefore all the eight typists became entitled for promotion to the post of stenographers even by 28-5-1971. The Regularisation governing promotion of typists to stenographers was then governed by the 1960 Promotion Procedure which is called the Life Insurance Corporation (Staff) Regulations, 1960, copy of which is marked as Ex. M-1. Therefore all these eight persons should have been duly declared promoted to the post of stenographers on 28-5-1971 itself on the basis of the 1960 Promotion Procedure, because there were admittedly enough vacancies for the post of stenographers on that day. At this stage alone the unfair labour practice adopted by the Respondent-Management comes in. The Respondent Management instead of passing orders posting these eight persons as stenographers even on 28-5-1971, they purported to conduct an interview for these eight candidates on 7-6-1971. Under the 1960 promotion procedure no such interview was contemplated for promotion to the post of stenographer from the post of typist. I shall extract the relevant portion of the said procedure. It runs as follows :

"9. Promotion of Typists Stenographers or Machine Operators :

(i) x x x x x x x x x

(ii) Existing typists who have obtained a minimum speed of 100 words per minute and 40 words per minute in Shorthand and typewriting respectively, should be allowed to appear for a competitive test and those who come out successful, shall be considered eligible for promotion to the Stenographers grade as and when vacancies arise."

Therefore from the relevant portion extracted above it can be seen that it is imperative on the part of the Management to hold that such person shall be considered eligible for promotion. Moreover, the procedure also indicates that these successful candidates shall be considered as and when vacancies arise. Therefore, it is obvious that all the formalities had

been satisfied for posting these eight persons as stenographers subject to the existence of the vacancies. As I have earlier pointed out on 28-5-1971 when these eight persons were declared as successful in the test there were enough vacancies for the post of stenographers. But in direct violation of the 1950 Promotion Procedure, the Management purported to call for an interview for these eight persons. This is irregular because the Promotion Procedure, 1960 does not prescribe any such interview for promotion to the post of stenographer from the post of typist. Because the interview has been held in violation of the Regulation which has the force of law it must be held that the action of the Management in having conducted an interview for these eight persons on 7-6-1971 is irregular and violative of the Regulations. In order to substantiate their claim that no interview is contemplated under 1960 Promotion Procedure and the Management also did not conduct any such interview, in such cases, the Union has produced Ex. W-2 dated 13-9-1960 to show that even without any interview the orders of promotions were made by the Life Insurance Corporation of India. That apart while placing the draft proposals for revision of Promotion Procedure, in the course of the negotiations on revision of Promotion Procedure, the Life Insurance Corporation of India has admitted that there was no interview under 1960 Promotion Procedure for the post of stenographer. The Insurance Employees' Associations, Trivandrum has published on 9-8-1971, these draft proposals of the Management—vide Ex. W-3. In Ex. W-3, the existing provisions and the draft proposals for revision can be noted. If the contents of Ex. W-3 are examined closely it can be seen that there was no interview whatsoever under the then existing Promotion Procedure, i.e., 1960 Promotion Procedure. Therefore it is manifest that the conducting of an interview for these eight persons who are successful at the test as contemplated under 1960 Promotion Procedure demonstrates the mala fides on the part of the Management. The interview is thus unauthorised and illegal. The story does not end there. After conducting the interview on 7-6-1971, the Committee submitted their recommendations on 8-6-1971 itself and the same was accepted by the Management on the very same day. Although everything was over, for obvious reasons, the Management did not display the result on the notice board till date. The capricious conduct on the part of the Management can be gathered from another angle. The Management did not choose to display the result of the interview conducted on 7-6-1971 and this interview related to post of stenographer from the typist. While so on 26-7-1971, the Management conducted another interview which was for the post of typists to Section Heads and the Management displayed the later interview immediately after 26-7-1971. But failed to do so with regard to these eight employees who were interviewed on 7-6-1971. Therefore, there is good deal of force in the contention of the Union that the Management was using its wanton failure to display the results of the eight employees on the notice board to deny promotions to the eight employees who have successful even by 28-5-1971. Ever since the Union was all along clamouring for justice to be meted out to these aggrieved employees. In this context suffice for me to refer only to one order passed by the Zonal Manager on 12th May, 1972. This is what the Zonal Manager says :

"It is a matter of record that no such Ranking List was published by the Trivandrum Divisional Office for promotion to the Cadre of Stenographer. Whatever the reasons which operated against the publication of the list, the fact that such a list was not in existence on the date of Settlement, viz., 15th October, 1971 places an embargo on the Corporation in the matter of selection of candidates or publication of Ranking List in accordance with the Promotion Procedure subsisting prior to 15th October, 1971. In view of this, it is not possible to put into existence a new Ranking List which was not prepared in accordance with the new promotion procedure after the date of Settlement."

It is clear from the order of the Zonal Manager that the Management is not prepared to come out with any reasons for not publishing Ranking List. This is highly arbitrary. If there was any justification against publishing the list, certainly the action of the Management would have been justified. But as it is there is no apparent justification for the Management for not publishing Ranking List for promotion to the cadre of stenographers. Merely because of the latches on the part of the Respondent-Management, the employees

who have become entitled to promotion cannot be denied their vested right. Thus it is abundantly clear that due to unfair labour practice adopted by the Respondent-Management the formal act of publishing the Ranking List of the stenographers for promotion could not be affected. But that does not by any stretch of imagination deprive the right vested in these eight employees who were found fit for being promoted by the Respondent-Management itself. On the facts disclosed it can also be safely held that on 28-5-1971 itself the Management has published the Ranking list of stenographers including the eight employees. Some how for reasons best known to the Management, these employees were posted as stenographers only from 7-1-1974. The employees are claiming the pay scale of stenographers only from the date of assuming charge as stenographers. Even if the employees have put forward such a claim from 28-5-1971 it would be very difficult to deny the same. However from 7-1-1974, all these employees have assumed charge as stenographers. Just because the Management chooses to describe them as officiating stenographers it is not really so, because these stenographers are regular stenographers even from 7-1-1974. I have earlier referred to three objections raised by the Management, viz., that the employees cannot be granted the pay scale of stenographers in the face of Explanation (2) of Regulation 57, Regulation 51(1) and Regulation 17(2). But the objections fall into the ground once it is held that these employees assumed charge as Stenographers on 7-1-1974 and not as officiating stenographers as the Management would have it. In the circumstances, I find that these eight employees must be deemed to be stenographers even with effect from 28-5-1971, but no doubt posting to these employees was given only on and from 7-1-1974. Therefore, I have no hesitation to find that all these aggrieved employees would certainly be entitled to scale of pay of stenographers with effect from 4-1-1974 (date of posting orders of Management).

(8) Undaunted in their efforts to get redress in the face of the deliberate, hostile and belligerent attitude adopted by the Respondent-Management, the aggrieved employees continued on their struggle to vindicate their right. On 15-12-1971, five of these employees submitted a representation to the Divisional Manager—vide Ex. M-7. The Divisional Manager did not choose to send any reply to this representation. The employees also sent a reminder to the Divisional Manager with regard to the representation submitted by them on 15-12-1971. Ex. W-4 is the copy of the reminder dated 21-2-1972. Finding no response from the Divisional Manager, the workmen submitted a memorandum to the Chairman through proper channel on 28-2-1972—vide Ex. M-8. However, this memorandum meant to the Chairman was detained by the Zonal Office and on the advice of the Zonal Office, the Divisional Manager informed one of the employee on 27-3-1972 under Ex. W-5. Thus for the first time ever since 28-5-1971, the Respondent-Management had in effect furnished the reason in writing as to why these employees were not posted as stenographers. Therefore, it has to be seen whether the reasons mentioned in Ex. W-5 are valid ones to deny the claim of these employees for being posted as stenographers. Under Ex. W-5, the Management would assert that the new Promotion Procedure had already come into force in accordance with which it is not open to effect any promotion except from the ranking list existing according to the new rules and hence it is not open to put into existence now a ranking list which was not prepared in accordance with a new Promotion Procedure. Therefore the only ground on which the Management has justified its in-action in not posting these employees as stenographers was, that the new Promotion Procedure had already come into force and according to which it is not open to effect any promotion except from the ranking list existing according to the new rules. Hence it is not open to put into existence now a ranking list which is not prepared in accordance with a new Promotion Procedure. From the order of this Divisional Manager, one thing is perfectly clear that these aggrieved employees were in fact in the ranking list, but the stand of the Divisional Manager was that this list was not prepared in accordance with the new Promotion Procedure and hence merely because these employees were in the ranking list under the Promotion Procedure of 1960 they could not now be posted as stenographers in the face of the new Promotion Procedure. But apart from the Promotion Procedure of 1960 Ex. M-1 and the Promotion Procedure in 1976 Ex. M-4, there is no promotion procedure even according to the Management. Presumably, the new Promotion Procedure referred to in the letter of the Divisional

nal Manager Ex. W-5 was the settlement on Promotion Procedure dated 15-10-1971. Item No. 5 under "Generals" of the said settlement runs as follows :

"All the candidates who continue to remain in the published ranking lists for promotions to various cadres as on the date this Settlement comes into force shall be given priority in the matter of promotion."

Therefore, even if this new Promotion Procedure as the Divisional Manager of the Respondent-Management would have it or the settlement on Promotion Procedure dated 15-10-1971 is held to be applicable to the case of the employees covered by the dispute, in as much as the ranking list was published on 28-5-1971 (even according to the case of Divisional Manager in Ex. W-5) it must be held that even under the new Promotion Procedure the status of these aggrieved employees as stenographers is firmly secured. Moreover, this item No. 5 under 'Generals' of the settlement dated 15-10-1971 is a beneficial clause protecting the right of the workmen in whose cases the formalities for promotion for various cadres under 1960 Promotion Procedure were completed. Thus the reason assigned by the Divisional Manager under Ex. W-5 is untenable and on the other hand even on the reasoning adopted by the Divisional Manager, these aggrieved employees should have been posted as Stenographers at any rate even from March, 1972.

(9) Dissatisfied and aggrieved with the order passed by the Divisional Manager under Ex. W-5 on 27-3-1972 all the employees submitted an appeal to the Zonal Manager on 18-4-1972—vide Ex. M-9. The Zonal Manager replied to his representation by his letter dated 12-5-1972 under Ex. W-6. The Manager under Ex. W-6 committed an error on the assumption that interview was required for promotion of Typists as Stenographers. As elsewhere referred to the Zonal Manager does not attempt offer an explanation as to why the ranking list according to the Management was not published even after the interview held on 7-5-1971. It is at this the imagination too much to hold that none of the persons who have appeared for the interview was found fit and therefore a list as such was not published after the interview held on 7-5-1971. It is not the case of the Management either. I have earlier pointed out how it is unnecessary and unauthorised interview as far as the typists are concerned for being promoted as stenographers under the then existing Promotion Procedure 1960. One another reason adduced by the Zonal Manager in Ex. W-6 is that the Management has no latitude to cause publication of the list in the light of the settlement dated 15-10-71. No express prohibition is pointed out in this settlement dated 15-10-1971 against the publication of the list. Moreover, this settlement is dated only 15-10-1971, whereas the interview for all these employees was over even by 7-5-1971. In the circumstances, it is naive to take shelter under the provision of this settlement dated 15-10-1971 to justify the unauthorised action of the Management in not formerly publishing the list even long prior to 15-10-1971. Therefore, none of the grounds mentioned by the Zonal Manager under Ex. W-6 is valid to deprive the rights of these aggrieved employees. When the Zonal Manager rejected the claim of these employees, the employees presented a memorial to the Chairman on 13-6-1972—vide Ex. M-10 and the Chairman also rejected their claim without assigning any reason whatsoever and the same was intimated by the Divisional Manager, Trivandrum—vide Ex. W-7.

(10) After having exhausted all the remedies available to the employees under the Regulations, two of the employees filed O.P. No. 5304 of 1972 before the High Court of Kerala at Ernakulam challenging the action of the Respondent-Management. Ex. W-8 is the order passed by the Division Bench of Kerala High Court on 16-7-1975. Whereunder, the Petitioners were directed by High Court within a month to make another representation to the Zonal Manager who was directed to look into and dispose of in accordance with the existing rules. Accordingly, two employees submitted a representation to the Zonal Manager on 5-8-1975—vide Ex. W-9. The Zonal Manager passed orders on this representation on 1-12-1975—vide Ex. M-12. According to the Union, the order passed by the Zonal Manager under Ex. M-12 amounts to contempt of High Court. If really it was so, then the proper forum for deciding the content would be the Kerala High Court. But suffice for me to point

out that under Ex. M-12, the Zonal Manager declined to consider the representation on the basis of existing rule, as directed by the High Court of Kerala, copy of which is marked as Ex. W-8.

(11) At this stage, it will be useful if I point out other developments relating to the question of promotion of typists as stenographers from 1971 onwards. As already referred to on 15-10-1971, a settlement was arrived at between the Employees' Union and the Corporation governing the matter regarding the rules of promotion. According to Ex. M-12, the Management had issued instructions to implement the provisions of the settlement on Promotion Procedure dated 15-10-1971 in the month of April, 1972. But the Respondent-Management had not placed before this Tribunal these instructions issued by them in April, 1972 purporting to have been issued consequent on the settlement arrived at on 15-10-1971. Therefore, this Tribunal is not in a position to find out in what respects the Promotion Procedure of 1960 had been altered by the settlement dated 15-10-1971. However, aggrieved by the settlement dated 15-10-1971, a section of the employees of the Respondent-Corporation filed a writ petition before the Honourable High Court at Madras and also elsewhere. The Madras High Court eventually struck down the settlement dated 15-10-1971 and directed the National Industrial Tribunal to hear and determine the dispute and pass an award according to law after notice to all parties concerned. Consequently, the Central Government constituted a National Industrial Tribunal (NIT 1 of 1973) and referred to it the dispute relating to the rules of promotion of Class III and Class IV employees of the Corporation, by a notification dated 31st March 1973. The said NIT after hearing all the concerned parties gave an award on the 8th June, 1974, published in the Gazette of India dated 20-7-1974. Ex. M-3 is the Gazette of India. A point has also been taken by the Management, i.e. that the present reference is untenable in view of the National Award dated 8-6-1974. Item 20 in Ex. M-3 runs as follows :

"The Award will not have any retrospective effect."

The Award is dated 8-6-1974 and therefore the Award will not be applicable to the cases of promotion prior to 8-6-1974. The Management has passed an order on 4-1-1974 posting the five employees as Stenographers. Three of them namely Savashri C. K. Vasudevan Pillai, V. Prabhakaran Pillai and I. Gomathy Amma assumed charge on 7-1-1974 while C.E. Antony and P.D. Pushpangadam took charge on 8-1-1974 and 6-3-1974 respectively. Therefore all the employees covered by the reference are stenographers even prior to 8-6-1974 and hence there is little substance in the half-hearted plea taken by the Management that the present reference is incompetent in view of the National Award.

(12) On the other hand, the Union points out that the National Award dated 8-6-1974 only retained the 1960 Promotion Procedure in so far as it relates to the promotion of typists to stenographers. The relevant portion of the award is extracted as follows :

"Item No. (15) : The rules for promotion of typists and stenographers should be in the manner as mentioned in the procedure of 1960."

Therefore when the settlement relating to promotion entered into between the Management and the workmen dated 15-10-1971 had been quashed by the High Court and the entire issue had been referred to the National Industrial Tribunal for adjudication and the National Industrial Tribunal has rendered its award, there is no meaning on the part of the Management contending that the employees will not be entitled to any benefit in the face of the National Award. As I extracted just little earlier, the National Award is only prospective and not retrospective and has specifically held that the rules of promotion of typists and stenographers should be in the manner as mentioned in the procedure of 1960. According to the Management, now existing Promotion Regulations, 1976, viz., Ex. M-4 were framed in accordance with the Award of the National Industrial Tribunal. It is not disputed that the Award of the National Industrial Tribunal is still binding on the Life Insurance Corporation of India, but significant to point out that the Promotion Regulations framed by the Management under Ex. M-4 purporting to be one in pursuance of the Award of the National Industrial Tribunal is contrary to the Award of the National Industrial

Tribunal. As already referred to item No. 15 of the National Award states that the rules of promotion of typists and stenographers should be in the manner as mentioned in the Procedure of 1960. Therefore it is abundantly clear that as a result of the National Award the rules for the promotion of typists and stenographers should be on the lines of Promotion Procedure 1960 which means the Promotion Procedure of 1960 under Ex. M-1 had been revived. The Union pointedly draws the attention of this Tribunal to the important fact that the new Promotion Regulation of 1976 Ex. M-4 does not at all provide for any promotion of typist to the post of stenographers. Therefore at any rate as far as the rules for promotion from typists to stenographers are concerned, the Promotion Regulation 1976 Ex. M-4 are violative of the provisions of the binding award of the National Industrial Tribunal. Therefore the Promotion Regulation of 1976 Ex. M-4 is illegal and cannot affect the workmen. In the face of these facts there is absolutely not an iota of doubt for holding that the rules relating to the promotion of Typists and Stenographers, namely Class III and IV shall be governed only by the 1960 Promotion Procedure which is Ex. M-1. If that be so then it only reinforce my earlier finding that the aggrieved employees have assumed charge on the respective dates as stenographers and as such they will be entitled to all the attendant benefits.

(13) Ex. W-16 is a statement showing difference in emoluments payable to one of the employees, viz., Sri C. K. Vasudevan Pillai. If the data furnished in Ex. W-16 is correct, then he will be entitled to additional payment of Rs. 9,075-54. The Management has to verify this data and also grant similar benefits to the other aggrieved employees. According to the Management, the employees are only entitled to an additional amount of Rs. 25 per month as Officiating Allowance. From the data furnished in Ex. W-16, the difference in total emoluments as officiating stenographers and regular stenographers begins at Rs. 72.35 etc., upwards and the last entry in Ex. W-16 at page 3 would indicate the difference as Rs. 145.65 per month. The date of reference by the Government of India is 16-5-1980. Therefore it is abundantly clear that these employees are continuously discharging the functions of a stenographer for more than six years, but receiving an additional paltry sum of Rs. 25 per month alone as opposed to the emoluments they should have been entitled to as shown in Ex. W-16. According to the Staff Regulations and the instructions issued thereunder, in the case of promotion of typists to stenographers, officiating arrangement ought not to be made in case of leave vacancy, but can be made only in temporary vacancies for not less than one month. Moreover, such officiating arrangement should not be resorted to as a matter of course but may be effected only when it is absolutely necessary to do so. Therefore it is pretty clear that for more than six years the Management has extracted the work of regular stenographers from these employees but have paid only a paltry additional allowance of Rs. 25 per month. It is not as though the Management is helpless. Whatever may be the reason according to the Management it is open to the Management to find out properly qualified stenographers to be posted in the place of stop gap arrangement. For reasons best known to the Management they had palpably failed to make a regular provision to man these posts at any rate for more than 5 years. Therefore the action of the Management in having extracted the full work of a regular stenographer from these employees for more than 5 years but paying only an allowance of Rs. 25 per month would clearly amount to unfair labour practice by any canons of jurisprudence. Although the length of officiating posting will not be a valid or tenable basis to confer any right, the long and unbroken duration of this period would certainly furnish an inkling into the efficiency of the Respondent-Corporation. Looked at from any point of view, I find that the aggrieved employees would be entitled to the pay scale of stenographers with effect from 4-1-1974 as indicated in the order of reference by the Government of India. It is rather most unfortunate that such a responsible public institution as the Life Insurance Corporation of India drives its own employees who were weighed in the balance and were not found wanting even by 28-5-1971 are kept at bay and driven from pillar to post all these 9 years to several courts, forums and authorities to vindicate their right without any result. In the circumstances I direct the Management to pay a cost of Rs. 500 to the Petitioner-Union who all along have tirelessly championed the cause of these employees. I place on record the invaluable services rendered by Sri K. R.

Chandrasekharan Pillai and Sri S. Chidambaram, Executive Committee Member and Joint Secretary of the Union respectively in marshalling all relevant facts and setting out the position of law which cannot be challenged or doubted.

(14) In the result an Award is passed answering the reference of the Government of India in the affirmative and holding that the employees would be entitled to the pay scale of regular stenographers with effect from 4-1-1974 with attendant benefits. I direct the Respondent-Management to pay a cost of Rs. 500 to the Petitioner-Union.

Dated, this 10th day of October, 1980.

T. SUDARSANAM DANIEL, Presiding Officer.
[No. L-17011/7/79-D.IV(A)]

WITNESSES EXAMINED

For both sides : None

DOCUMENTS MARKED

For workmen

- Ex. W-1/28-3-78—Note prepared by the Union to the Assistant Labour Commissioner (Central), Cochin in respect of the dispute.
- Ex. W-2/13-9-60—Letter from the Management to Thiru M. Achutan promoting as stenographer.
- Ex. W-3—Last proposal of Management for revision of Promotion Procedure for Class III and IV Staff.
- Ex. W-4/21-2-72—Letter from P.D. Pushpangadam, K. M. Balakrishnan, G. Santhamma and L. Gomathy Ammal to the Divisional Manager, L.I.C., Trivandrum regarding promotion to the cadre of stenographers. (true copy).
- Ex. W-5/27-3-72—Letter from the Management to Tmy. G. Santhamma regarding promotion to the cadre of stenographer.
- Ex. W-6/12-5-72—Letter from the Management to Tmy. G. Santhamma regarding promotion to the cadre of stenographer.
- Ex. W-7/9-8-72——do—
- Ex. W-8/16-7-75—Kerala High Court's Judgement in O.P. No. 5304/72. (certified copy).
- Ex. W-9/5 8-75—Memorandum of Tvl. V. Prabhakaran Pillai and C. K. Vasudevan Pillai to the Zonal Office, L.I.C. requesting for promotion as stenographers. (true copy).
- Ex. W-10/31-8-74—Rules of promotion for Class III and IV employees (1974). (true copy).
- Ex. W-11/27-2-76—Memorandum by Tvl. V. Prabhakaran Pillai and C. K. Vasudevan Pillai to the Zonal Office requesting for promotion as stenographers. (true copy).
- Ex. W-12/29-4-76—Reply letter from the Management to Ex. W-11.
- Ex. W-13/23-1-78—Letter from Tvl. V. Prabhakaran Pillai and C. K. Vasudevan to the Chairman, L.I.C., Bombay regarding their promotion as stenographers. (true copy).
- Ex. W-14/18-5-78—Letter from the Management to Thiru C. K. Vasudevan Pillai informing the rejection of their memorial submitted to the chairman.
- Ex. W-15/1-2-78—Letter from Tvl. V. Prabhakaran Pillai and C. K. Vasudevan Pillai to the Zonal Manager regarding their promotion as stenographers (true copy).
- Ex. W-16—Statement showing the difference in emoluments payable to Thiru C. K. Vasudevan Pillai, had he been placed in the regular scale applicable to stenographers from 7-1-1974.

For Management

Ex. M-1—Life Insurance Corporation of India (Staff) Regulations, 1960—July 1960—(as modified upto 7-8-71).

Ex. M-2/24-1-74—Memorandum of settlement u/s. 18 1/w. Section 2(P) of the I.D. Act, 1947 between parties. (printed)

Ex. M-3/8-6-74—Award in Reference No. NIT-1 of 1973 of the National Industrial Tribunal, Jabalpur. (gazette copy).

Ex. M-4/15-3-76—Life Insurance Corporation of India (Promotion) Regulations, 1976. (gazette copy)

Ex. M-5/22-12-79—Letter from the Union to the Assistant Labour Commissioner (General), Cochin regarding proposed direct recruitment of stenographers.

Ex. M-6/2-11-77—Letter from the Union to the Assistant Labour Commissioner (Central), Cochin regarding regularisation of promotion of six officiating stenographers.

Ex. M-7/15-12-71—Memorandum by Tmy. G. Santhamma and 4 others to the Management requesting for promotion as stenographers. (copy)

Ex. M-8/28-2-72—Letter by Tmy. G. Santhamma and 2 others to the Divisional Manager, Trivandrum enclosing the memorandum of the Employees to the Chairman.

Ex. M-9/18-4-72—Appeal of the employees to the Southern Zonal Manager, Madras.

Ex. M-10/13-6-72—Memorial submitted by the employees to the Chairman, L.I.C.

Ex. M-11/19-6-72—Letter by the employees to the Senior Divisional Manager, Trivandrum for forwarding Ex. M-10 to the Chairman.

Ex. M-12/1-12-75—Order of the Zonal Manager on the joint representations dated 5-8-1975 submitted by Tvl. V. Prabhakaran Pillai and C. K. Vasudevan Pillai.

Ex. M-13/12-7-76—Memorial submitted by Tvl. V. Prabhakaran Pillai and C. K. Vasudevan Pillai to the Chairman, L.I.C. (copy)

Ex. M-14/27-11-79—Circular of the Management—L.I.C. Recruitment (of Class III and Class IV Staff) Instructions, 1979.

Ex. M-15/31-3-1977—Letter from the employees to the Zonal Manager of the L.I.C for giving them regular promotion as stenographers.

Note : Parties are directed to take return of their document>true copy/forwarded/by order/within six months from the date of publication of the Award.

S.O. 3113.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of United India Fire and General Insurance Company Limited, Cochin-682016 and their workmen, which was received by the Central Government on the 21st October, 1980.

BEFORE THIRU T. SUDARSANAM DANIEL, B.A., B.L.
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS

(Constituted by the Government of India)

Wednesday, the 8th day of October, 1980

Industrial Dispute No. 30 of 1980

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947

between the workmen and the Management of United India Fire and General Insurance Company Limited, Cochin).

BETWEEN

The workmen represented by
The Joint Secretary,
Kerala State General Insurance Employees Union,
Post Box No 1810, Cochin-682016.

AND

The Divisional Manager,
United India Fire & General Insurance Company Limited,
Divisional Office, "Collis Estate",
2nd Floor, P.B. No. 1823, M. C. Road, Cochin-682011.

REFERENCE :

Order No. L-17012(17)/79-D.IV(A), dated 3rd May, 1980
of the Ministry of Labour, Government of India.

This dispute having advanced to this day for hearing upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing of Thiru K. Chandru for Thiruvalargal Row and Reddy and K. Chandrin, Advocates for the workmen and of Thiru N. Balasubramanian, Advocate for the Management and the counsel for workmen having made an arrangement for dismissing the reference as not pressed this Tribunal made the following

AWARD

This is an Industrial Dispute between the employers in relation to the management of United India Fire and General Insurance Company Limited, Cochin and their workmen referred for adjudication by me under section 10(1)(d) of the Industrial Disputes Act, 1947 by the Government of India in Order No. L-17012(17)/79-D.IV(A), dated 3-5-1980 of the Ministry of Labour, in respect of the following issue.

"Whether the action of the management of United India Fire and General Insurance Company Limited, Cochin in terminating the services of Kumari D. R. Chitrabhai, Typist with effect from the 24th October 1974 is justified ? If not, to what relief is the workman concerned entitled ?"

(2) Parties were served with summons. Petitioner Union, viz., Kerala State General Insurance Employees Union, Cochin-682016 filed a claim statement on 17-6-1980 and the Respondent-Management, viz., United India Fire & General Insurance Company Limited, Cochin-682011 filed a counter statement on 30-7-1980. It is not necessary to set out in detail the statement of the respective parties, as the matter has been reported settled.

(3) After several adjournments, the counsel for the Petitioner-Union has made endorsement in the claim statement as follows :

"The Petitioner Union has settled the dispute regarding the non-employment of Kumari D. R. Chitrabai out of comt. Hence they are not pressing their claim made in this reference. It is therefore prayed that this Hon'ble Tribunal may be pleased to dismiss the reference as not pressed.

(4) In view of the endorsement by the counsel, award is passed dismissing the claim as not pressed. No costs.

Dated, this 8th day of October, 1980.

T SUDARSANAM DANIEL, Presiding Officer.

[No. I-17012/17/79-D.IV(A)]

NAND LAL, Desk Officer.

New Delhi, the 31st October, 1980

S.O. 3114.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal-cum-Labour Court, Jabalpur in the industrial dispute between the employers in relation to the

management of Bhilai Steel Plant and their workmen, which was received by the Central Government on the 15th October, 1980.

BEFORE SHRI A. G. QURESHI, M.A., LL.B., PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,
JABALPUR (M.P.)
Case No. CGIT/LC(R)(I)/1980

PARTIES :

Employers in relation to the management of Bhilai Steel Plant of Steel Authority of India Limited and their workmen represented through the Hindustan Steel Employees Union, Rajhara Mines, Post Office Dallirajhara, District Durg (M.P.).

APPEARANCES :

For Workmen—Shri P. K. Moitra, Advocate.
For Management—Shri D. C. Henry, Law Officer and Shri Bhojwani, Junior Law Officer.

INDUSTRY : Iron Ore

DISTRICT : Durg (M. P.)

AWARD

Dated : October, 1st, 1980.

This is a reference made by the Government of India in the Ministry of Labour, in exercise of the powers conferred by Clause 10(1)(d) of the Industrial Disputes Act 1947, vide its Order No. L-26012/2/79-D.III B dated 2nd January, 1980, for adjudication of the following industrial dispute by this Tribunal :—

1. Whether the action of the management of Bhilai Steel Plant in terminating the services of Shri Bansilal Khalasi, Rajhara Mines w.e.f. 25-11-76 is justified? If not, to what extent is the workman entitled?

2. On receipt of the reference, parties were noticed to file their respective statements of claims. The Union filed its statement of claims on 18-2-1980 and management on 4-3-1980. After the filing of the pleading by the parties, five issues were framed for determination of the dispute between the parties. Thereafter the case was fixed for admission and denial of documents and evidence of parties on 26-6-1980. But on that date nobody appeared for the Union. Shri Bhojwani, Junior Law Officer, sought an adjournment for adducing evidence on behalf of the management, which was allowed and 16-7-1980 was fixed. On 16-7-1980 both the parties appeared and Shri Moitra, Advocate, on behalf of the Union, filed documents with the permission of the Tribunal. The case was again fixed on 30-7-1980 for evidence of parties. On 30-7-1980 again the representative of the Union absented and Shri Henry, Law Officer of the management, submitted that some negotiations of mutual settlement of the dispute are in progress, hence a short time for filing the compromise petition be given. The case was thereafter fixed for filing of compromise settlement at Bhilai on 12-9-1980, on which date Shri Henry, Law Officer, submitted that the parties have arrived at a mutual settlement and sought time for filing the Memorandum of Settlement at Jabalpur on 29-9-1980. On 29-9-1980 Shri Bhojwani, Junior Law Officer of the management, appeared and filed the Memorandum of Settlement and verified the signatures of Shri Panicker, Joint Secretary of the Hindustan Steel Employees Union, Rajhara and Shri Bansilal the concerned workman as well as the signatures of Shri D. C. Henry, Law Officer (Mines).

3. I have perused the terms of the settlement arrived at between the parties by which the management of Bhilai Steel Plant Steel Authority of India Ltd. have agreed that they shall appoint Shri Bansilal on the post of Khalasi at Rajhara Mine, on the pay and scale of pay corresponding to the pay

last drawn by the workman immediately before the termination of appointment and he will be regarded as a fresh entrant for all purposes. The Hindustan Steel Employees Union and the workman concerned, Shri Bansilal have also agreed that Shri Bansilal or the Union shall not make any claim either for the past services or for back wages for the period from the date of termination till the date of reappointment. Since the aforesaid terms of settlement appear to be fair and reasonable and are to the satisfaction of the Union and the workman concerned, I give my award in terms of the settlement. The Memorandum of Settlement filed by the parties shall form part of the award.

1-10-1980.

A. G. QURESHI, Presiding Officer.
[No. L-26012/2/79-D.III(B)]
A. K. ROY, Under Secy.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR
Ref : Case No. 1/80

Bansilal, Ex. Khalasi
Rajhara Mines

First Party.

VERSUS

Steel Authority of India Ltd.
Bhilai Steel Plant

Second Party

The parties above named beg to submit that they have come to a mutual settlement on the following terms & conditions :

TERMS & CONDITIONS

1. That, the Bhilai Steel Plant, Steel Authority of India Ltd. (Second Party) shall appoint Shri Bansilal on the post of Khalasi at Rajhara Mines on the pay & scale of pay corresponding to the pay last drawn by him immediately before termination of his appointment and he will be regarded as a fresh entrant for all purposes.

2. That the Hindustan Steel Employees Union, Branch Rajhara (First Party) and also Shri Bansilal shall not make any claim either for the past services or for back wages for the period from the date of termination till the date of reappointment.

3. That, the Bhilai Steel Plant, Steel Authority of India Ltd. shall implement the above settlement within a period of 15 days.

It is humbly prayed that the Hon'ble Court may be pleased to pronounce the order in terms of the above settlement.

Prays accordingly.

Sd/-

K. P. G. PANIKEN, It Secy
Hindustan Steel Employees Union, Branch Rajhara,

For & on behalf of
Steel Authority of India Ltd.
Bhilai Steel Plant.

Sd/-

D. C. HENRY, Law Officer (Mines)

(Bansilal)

PART OF AWARD

Sd/-

A. G. QURESHI